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WATER UTILITIES CORPORATION

BOTSWANA EMERGENCY WATER SECURITY AND EFFICIENCY PROJECT SELEBI-PHIKWE TO SERULE WATER TRANSFER SCHEME

VULNERABLE COMMUNITY PLAN (IPP) FOR DAMUCHOJENAA AND GOJWANE SETTLEMENTS

February 2021

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EXECUTIVE SUMMARY

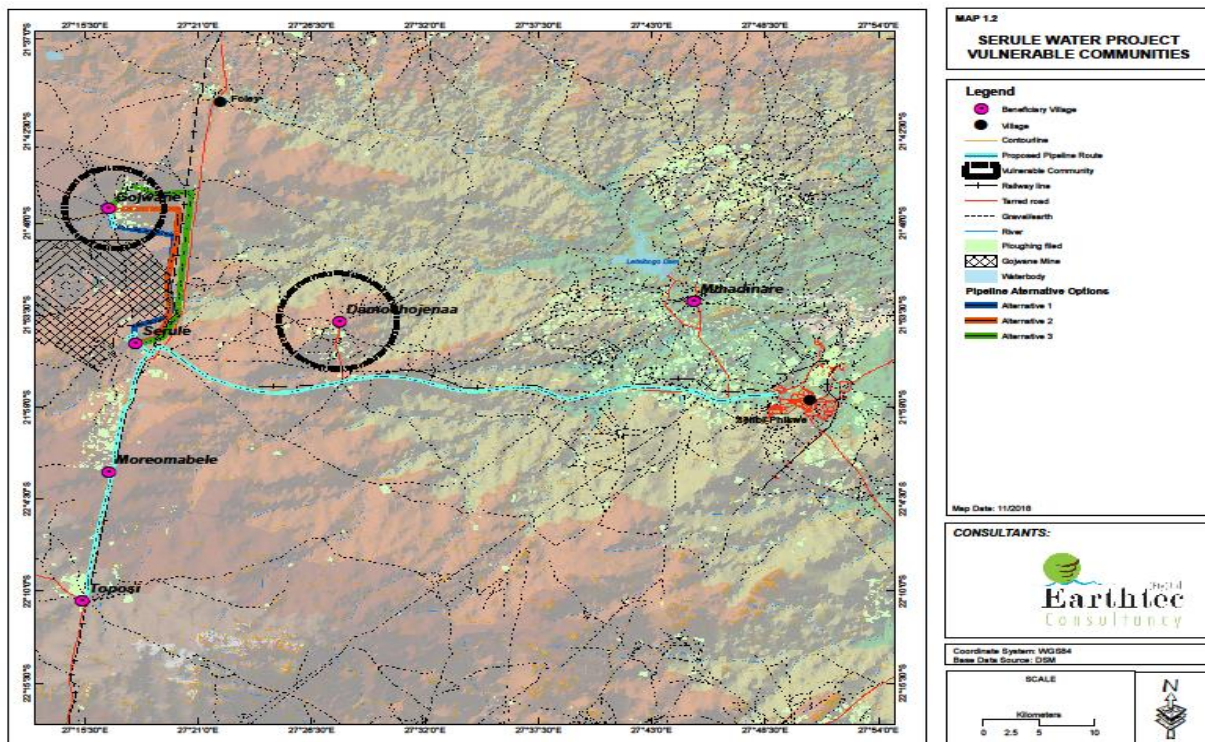
A. BACKGROUND

This Vulnerable Community Plan (VCP) has been prepared for the settlements of Gojwane and Damuchojenaa as part of the Environmental and Social Impact Assessment (ESIA) for the sub-project “Selebi-Phikwe to Serule Water Transfer Scheme” of the Botswana Emergency Water Security and Efficiency Project. It is submitted in fulfilment of the World Bank’s Safeguard Policy OP4.10 on Indigenous Peoples (referred to as vulnerable communities in the Botswanan context).

Basarwa (San) are a Vulnerable Community and are within the project area in Damuchojenaa and Gojwane settlements.¹ The project area includes the following project beneficiaries: two settlements (Damuchojenaa and Gojwane), four villages (Serule, Topisi, Mmadinare and Moreomabele). The town of Selebi-Phikwe is not a project beneficiary but is impacted by this project (See **Map 1**).

The development objective of the project is to improve availability of water supply in drought vulnerable areas, increase the efficiency of WUC, and strengthen wastewater management in selected systems. The Selebi-Phikwe sub-project aims to supply enough quantities of treated potable bulk water to the populations of six settlements in the long term for the next 20 years (i.e., up to 2040). The settlements currently experience water shortage and at times have gone for days without water supply. This project is to supply water on a sustainable basis to improve the quality of life of the beneficiaries.

Map 1: Locations of Vulnerable Communities in Relation to the Project Site



¹A settlement is a recognized geographical location of people in an area for economic and social purposes. A settlement has a minimum population of 150 people, settlements are classified into a hierarchy of 4 according to the population. These are primary (20,000 + people), Secondary (10,000-19,999), Tertiary I-IV (5,000- 499) and other settlements (p. 498- 150).

The objective of this VCP is to ensure that the implementation of the project respects the values, human rights, and the culture of the Vulnerable Communities to be affected by the project and also:

- Consider the expectations and economic and social developmental needs of the Vulnerable Communities (VCs)
- Identify potential positive and negative impacts of the project on VCs
- Come up with measures to avoid, mitigate, or compensate for the adverse project effects
- Ensure that culturally appropriate project benefits will accrue to VCs
- Ensure that there are measures for timely grievance redress
- Ascertain that there are measures to strengthen the capacity of implementing agencies at central as well as the district level to address VCs issues,
- Assess the possibility of involving local CBOs and NGOs with expertise in VCs issues
- Ensure there is adequate budget allocation for implementation of the plan
- Monitor and evaluate performance of the plan

The main components of the works to be undertaken within the settlements are as follows:

- Construction of a 110 mm uPVC Class 9 branch off to Damuchojena settlement. This is within the road reserve to the existing tank. The total length of the branch is 7km.
- Construction of a 300 m³ elevated distribution tank at Damuchojena settlement within the land of the existing water tank.
- Construction of a new 400 m³ elevated (15m) distribution tank at Gojwane settlement. To be located at a new plot of about 937 m² in size located outside the village boundaries.
- Construction of a 110 mm uPVC Class 9 transfer pipeline to the proposed 400m³ elevated distribution tank at Gojwane settlement. This will cover a length of 21.7km from Serule village, along the railway reserve then turn into Gojwane settlement to the new water tank.
- Old water storage tank is to be decommissioned at Gojwane.

Maps 2 and 3 below show the location of the pipeline route and water tank in Gojwane and Damuchojena.

Map 2: Location of the Pipeline Route and Water Tank in Gojwane Village



Map 3: Location of the Pipeline Route and Water Tank in Damuchojena Village



B. LEGAL AND INSTITUTIONAL FRAMEWORK APPLICABLE TO VULNERABLE COMMUNITIES (VCs)

The following laws and policies are relevant for the the preparation of the Vunerable Community Plan. The full framework is provided in the main text.

- Constitution of Botswana (1966)
- Tribal Land Act (1968) and amended Act (1993)
- Affirmative Action Framework for Remote Area Communities (2009)
- Remote Area Development Programme (RADP)
- Revised Guidelines for Implementation of Ipelegeng Programme (2012) - (Labour based Public Works Programme)
- Revised National Policy on Destitute Persons (2002)
- Government Housing Programme (Destitute Housing Scheme)
- The 2005 Report of the African Commission on Human and People's Rights Working Group on Indigenous Populations
- UN Declaration on Rights of Indigenous Peoples (2007)

C. SUMMARY OF SOCIAL ASSESSMENT IN OP 4.10 CRITERIA

HISTORY OF SAN (BASARWA) IN BOTSWANA

Botswana is a culturally diverse country. Traditionally, Basarwa were semi-nomadic who practiced hunter-gatherer livelihoods. Their association with the land was based on complex intra-cultural negotiated systems and because they had no formally recognized land tenure system, they were often seen as having no land of their own (and therefore no rights to land). Territory available to the Basarwa (San) has decreased over the last century through successive in-migrations of both colonial and other African tribal groups. The Basarwa (San) have been historically excluded for their distinct cultural characteristics and that affirmative

action is necessary to ensure their survival. In fact, the San are the oldest original peoples of Africa (and in Botswana it is estimated they arrived approximately 200,000 years ago).²

Gojwane settlement is reported to have been established following the expansion of Serule village. It is said that the late Kgosi Tshekedi Khama, the then Bangwato Chief from 1926 to 1959 sold his cattle post in Serule village and some of his cattle herders who were Basarwa whom he had brought into the Bangwato Tribal Authority to herd his cattle then moved out of Serule village and built permanent homes and settled north of Serule which is now known as Gojwane settlement. Some of the inhabitants of Gojwane settlement have historical kinship ties with past generations and a majority of the people share the same totems, customs and traditions.

Damuchojena settlement is reported to have formerly been a livestock farm named as Sedibe farms. The farms were within the Bangwato Tribal Authority and the workers on the farms at that time were mainly Basarwa, who originated from a location close to the farm. The history of the settlement is presented in Section 3.3.

The two settlements were recognised and gazetted in the 1970's under the National Settlement Policy and Damuchojena has been listed as a remote area dweller settlement. The Government therefore helps with the development of the two settlements. Government workers are given special incentives in terms of salary to work within the remote area settlements. This has partially contributed to the different ethnicities inhabiting the two settlements.

Summary of Assessment of OP4.10 Criteria of San (Basarwa) in Damuchojena and Gojwane

Considering the criteria of Indigenous Peoples (Vulnerable Communities) and screening following the World Bank OP4.10 Policy, the Basarwa communities in Damuchojena and Gojwane settlements can be referred to as a distinct social and cultural group possessing the following characteristics in varying degrees who meet the criteria under OP4.10:

- a) *Self-identification as members of a distinct indigenous cultural group and the recognition of the Basarwa as a distinct cultural group.* The Basarwa are recognised nationally, regionally and internationally. This is because they still identify themselves as Basarwa and have not forgotten their ancestral history.
- b) *Collective attachment to geographically distinct habitats or ancestral territories among the area of project implementation.* Their grandparents lived in this area, and they still live as a community. However, more generally, Basarwa are believed to be the first inhabitants of Botswana arriving some 20,000-30,000 years ago.³ As hunter-gatherers, they used lands seasonally in search for water, wildlife and gathering wild fruits and tubers.
- c) *Customary cultural, economic, social, or political institutions that are separate from those of the mainstream society or culture.* They still practice hunting at a small scale as they must apply for a permit to hunt for example guinea fowls etc. and they still gather wild fruits and tubers for their consumption and selling any surplus left. They still practice their ancestral dance of 'tsutsube'. They still teach their children this dance.

² See IPPF for Human-Wildlife Conflict Management (HWCM) in Northern Botswana Project (2016); T. Tlou, and A. Campbell, 1984. History of Botswana. Botswana, Gaborone: Macmillan; and a more recently study on this issue, Chan, E.K.F., Timmermann, A., Baldi, B.F. *et al.* Human origins in a southern African palaeo-wetland and first migrations. *Nature* **575**, 185–189 (2019). <https://doi.org/10.1038/s41586-019-1714-1>

³ T. Tlou, and A. Campbell, 1984. History of Botswana. Botswana, Gaborone: Macmillan.

They still practice '*botsetsi*'⁴ which is a puberty rite of passage where a girl is isolated for seven days while dance rituals ('tsutsube') done for her, as well as rites of passage for boys who are maturing into manhood.

- d) *A distinct language or dialect*, often different from the official language or languages of the country or region in which they reside. Basarwa speak their distinct dialect, Sesarwa, a click-based language that differs from other languages in the country.

In addition to the above, the Government of Botswana recognises the two settlements in general as vulnerable due to their geographical locations (more than 15 km from a major settlement), incidence of poverty and unemployment, and a general lack of access to basic social services.

The Vulnerable Communities have been included in the process of project preparation and will be included during the implementation of works. They have been consulted over issues that affect them and any potential adverse impacts emanating from the project have been identified, discussed, and adequately mitigated in relation to the Vulnerable Communities.

D. SUMMARY OF THE SOCIAL ASSESSMENT

An analysis of the social assessment is presented in below:

| Variable | Gojwane | Damuchojena |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| History of the village | The settlement was founded in 1978. The Basarwa settled in present Gojwane as they relocated from Serule village following the sale of a farm where they used to work by the late Kgosi Tshekedi Khama. The settlement is under the Bangwato Tribal Authority. | The village started in 1900. It was previously farmland known as Sedibe farms and in 1960 it was later changed to Damuchojena settlement. The settlement is under the Bangwato Tribal Authority. |
| Education and Literacy | Has a primary school with electricity and water. Primary school participation rate is more than 90%. Data on completion rates for primary, secondary and beyond was not ascertained but community consultation affirmed low secondary school completion rates. No special needs class is available. Literacy rate is 90% (primary level) | Has one primary school (ages 6-12 years) with electricity. Primary school participation rate is more than 90%. Data on completion rates for primary, secondary and beyond was not ascertained. No special needs class is available. Upon primary school completion students are then transferred to junior secondary school in Serule Village, about 16 km away. The junior school has boarding facilities. Those who successfully complete junior secondary is taken to Mmadinare Senior School which is about 19 km away. Literacy rate is 76.3% at primary level given low attainment rates for secondary education. |

⁴ In Setswana culture, botsetsi refers to post-natal mother and newborn ritual in which mother and child are isolated for three months to enable the mother to prepare for motherhood. However, during consultations with the Basarwa community, the same term refers to the puberty rites of passage for girls.

| Variable | Gojwane | Damuchojena |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Health | <p>Predominant communicable disease is HIV/AIDs. The most affected population ranges between 20–34 years of age and are mostly women.</p> <p>Traditional medicine as an alternative to modern medicine is also practiced in the village. There is even an annual festival in the promotion of the use of traditional medicine. The settlement of Gojwane has approximately 15 to 20 traditional doctors.</p> | <p>Predominant diseases are mumps (viral infection, spread through saliva), HIV/AIDs and gingivitis (caused by poor oral care habits, smoking and chewing tobacco and poor diet).</p> <p>In Damuchojena there are approximately five traditional healers and of these three are Basarwa.</p> |
| Ethnicity & Population | <p>The community is ethnically diverse with relative peaceful co-existence:</p> <p>Basarwa: 37% Bamangwato: 33% Bakalaka: 10% Other: 20%</p> <p>Est. population: 1499 (51% women; 44.6% between 0-14; 4.7% over 65 years old)</p> | <p>The community is ethnically diverse with relative peaceful co-existence:</p> <p>Basarwa: 47% Bamangwato: 17% Bakalaka: 13% Others: 23 %</p> <p>Est. population 1079 (social worker, 20 Feb 2019 consultation) 56.8% women; 48.9% between 0-14; 4.7% over 65 years old</p> |
| Language | <p>Dominant language spoken is Setswana. According to Statistics Botswana, Gojwane Settlement falls within the Central Serowe district at the most common language is Setswana with 90% of settlements in district speaking it and about 24% speak Sesarwa (the Basarwa language) within the settlements</p> | <p>Dominant language spoken is Setswana. According to Central Statistics, at the district level (Central Bobonong) within which Damuchojena is found, the Setswana is spoken in 90% of settlements, however official statistics report Sesarwa speakers. However, in community discussions, Basarwa members and the community at large acknowledged that Sesarwa was spoken among members.</p> |
| Population living in Poverty | 48% of the population according to Statistics Botswana | 33% of the population according to Statistics Botswana |
| Employment | <p>Has a very high unemployment rate (data unavailable).</p> <p>90% of community members work in a short-term (2 months) government work program offering temporary employment through “Ipelegeng”. This program temporarily employs on a rotational basis.</p> <p>A Cap Mining Resources is proposing to develop an open pit uranium mine about 3.5km south of Gojwane settlement which would employ persons in the project area and nationwide.</p> | <p>Unemployment is very high. The main livelihood of the village is pastoral farming. They also collect natural resources such as grass, firewood and mophane worms (caterpillars) for subsistence use and for sale.</p> <p>About 90% of the VC community members are employed and are part time employed in the Ipelegeng Programme.</p> |
| Livelihoods | <p>Most residents are mainly subsistence farmers, and they gather veld products and firewood and sell them. When excess produce is made, they are sold to gain money for their daily needs.</p> <p>Vulnerable Community members also gather veld products such as Moretlwa (White raisin, Grewia Flava) as a main livelihood. Early traditional livelihoods of the Vulnerable Community members were hunter-gatherers. Hunting was banned in</p> | <p>In Damuchojena majority of the village are subsistence farmers where excess is sold as an income generating activity. Many also gather veld products.</p> <p>Traditional livelihoods of the Vulnerable Community members were hunter-gatherers who included both hunting and foraging. Currently, some VC members practice gathering veld products which they sell and use for subsistence. Restrictive</p> |

| Variable | Gojwane | Damuchojenaa |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>the country in 2014. They were therefore not allowed to legally hunt although bird hunting and some small game was allowed with requisite permits.</p> <p>The Basarwa have been affected by a uniform approach to development in the country. While they traditionally practiced a hunter-gatherer subsistence way of life, the Remote Area Development Programme initiatives to relocate them into settled communities in favour of a sedentary, agro-pastoralist lifestyle and to 'integrate' them with other Tswana communities impacted their livelihoods and cultural practices.</p> | <p>hunting laws impacted their traditional livelihood.</p> <p>The Basarwa have been affected by a uniform approach to development in the country. While they were traditionally practiced a hunter-gatherer subsistence way of life, the Remote Area Development Programme initiatives to relocate them into settled communities in favour of a sedentary, agro-pastoralist lifestyle and to 'integrate' them with other Tswana communities impacted their livelihoods and cultural practices.</p> |
| Average Monthly Income Per Capita from Sample survey (Sample included all residents, VCs included) | BWP 87.07 (US \$7.87) | BWP 292.11 (US \$26.42) |
| Political, Social and Cultural Institutions | <p>Traditional Institutions of VC's have transformed over time their institutions and now either similar to or the same as non-Basarwa ethnic groups. The Government's policy is to foster the "integration" of Basarwa into the mainstream Tswana communities.</p> <p>The settlements have a Kgosi or chief, who lead, and guide decision making for community and has other structures such as Village Development Committee which oversees the development of the village. The Kgosi's are paid a salary monthly by the central Government.</p> <p>However, the decision-making system of Kgosi is not a Basarwa institution as they were traditionally organized around a system of clans and elders based on consensual decision-making.</p> | |
| Culture | <p>Examples of traditional Basarwa cultural practices and rituals include those involving a boy's "first successful hunt, puberty rituals for girls, marriage rituals and spiritual practices involving trance dancing". Some practices such as those involving a girl's rite of passage into womanhood is still practiced and some traditional spiritual practices are still practiced, others are not.</p> | |
| Health | <p>The village has a health post. A doctor comes once a week. The predominant disease is HIV/AIDS. The Government through the health post and numerous health programmes provide health awareness (such as vaccination programs for children against tuberculosis, polio, Measles, hepatitis, and tetanus). There is also a programme on the prevention of HIV transmission from a pregnant infected mother to the unborn child (PMCT). Vitamin A supplements is also given to all children.</p> <p>There are about three traditional healers who are Basarwa in the settlement. They treat diseases with herbs.</p> | <p>The village has a health post. A doctor comes once a week, and a midwife comes once every 2 weeks. The predominate diseases in the area are contagious viral diseases such as mumps. There are more than five traditional healers who are Basarwa in the settlement They also treat disease with herbs.</p> <p>Similar to Gojwane Government of Botswana provides immunisation to infants and children at the clinics/ health post and at schools.</p> |
| Electricity | The village is connected to the national | The village is connected to the national |

| Variable | Gojwane | Damuchojenaa |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>electricity grid. The tribal administration office, health post, school, and the teachers housing are all connected to the national electricity grid.</p> <p>Some houses of the Basarwa are not connected to the national electricity grid. They therefore depend on firewood as a source of energy for cooking and paraffin for lighting.</p> | <p>electricity grid. The tribal administration office, health post, school, and the teachers housing are all connected to the national electricity grid.</p> <p>Some houses of the Basarwa are not connected to the national electricity grid. They therefore depend on firewood as a source of energy for cooking and paraffin for lighting.</p> |
| Religion | <p>The predominate religion is Christianity</p> <p>According to Statistics Botswana, the village has the following religions present Christian: 76.8% Muslim: 1% Bahai: 0.2% Hindu: 0.1% African Tradition: 5.3% No religion: 16.4% Not stated: 0.01%</p> | <p>The predominate religion is Christianity</p> <p>According to Statistics Botswana, the village has the following religions present Christian: 51.0% African Tradition: 2.2% No religion: 46.6.1% Not stated: 0.2%</p> |
| Land | <p>Access to land is regulated by the Tonota Sub-Land Board under the Ngwato Land Board which manages land within the Bangwato Tribal Authority. The land tenure is tribal lands.</p> <p>Land of about 937 m2 will be used within the village for a new tank and application for land rights will be obtained via the sub-land board.</p> | <p>Access to land is regulated by the Mmadinare Sub Land Board under the Ngwato Land Board which manages land within the Bangwato Tribal Authority. The land tenure is tribal lands.</p> |
| Sports | <p>The settlements of Gojwane and Damuchojenaa have sporting code teams which are in football, netball and volley balls. They participate in the annual constituency tournament (Sports and Arts) of the country which is organised by the Ministry of Youth Empowerment, Sports and Cultural development.</p> | |
| Household Possessions | <p>All households interviewed in the Vulnerable Communities have cell phones. This will help in reporting grievances in the settlements.</p> | |
| Social Problems | <p>Alcohol abuse, teenage pregnancy and affray were found to be serious social problems in these settlements in the entire community.</p> | |

E. METHODOLOGY

The preparation of this VCP involved a mixed method approach where qualitative and quantitative methods were used. This included public consultations with the communities which included Basarwa, focused group discussions with community leaders, household surveys (through randomized selection), Non-Governmental Organisations (NGO); and the Social and Community Development (S&CD) Officers of the District Councils, and review of social science literature.

Focused group discussions were held with the leadership of the community in both settlements. As part of the social assessment, four Kgotla (consultative) meetings were held with the affected settlements since 2013. Women and youth focus groups were also held and the Basarwa represented 50 percent of the attendants on average.

The village Dikgosi did not support the request for having focused group discussions exclusively with the Basarwa, citing concerns over community cohesion and singling out

groups is against community practice. To maintain harmony and mitigate potential adverse impacts to the VCs by singling them out, the consultation was done with the whole community. The Vulnerable Communities themselves also agreed with such an approach. During Kgotla meetings in Gojwane, the Basarwa attendance was 37 percent on average, while in Damuchojena the attendance was 46 percent. The estimated number of VCs in both communities (based on incomplete data⁵) is 37% (Gojwane) and 47% (Damuchojena). The validation of the VCP will be conducted using the ward structure where VCs are present.

Stakeholder Identification: Stakeholders were identified based on projects impacts on them. Those who were directly affected by the project (project affected people) were consulted for this VCP, including the VCs in the project area. The consultations took place with all members of each settlement invited to attend as per the protocols and traditions of the Kgotla. Questions were directed to the Basarwa to obtain baseline information and impacts, but it was agreed by the community that benefits and mitigation measures would be applied to all members to maintain social cohesion and inclusion. Additional stakeholders were identified such as the Social and Community Development (S&CD) Officers of the District Councils to support and supplement social data and inform them of the project, as well as representative NGOs such as the Khwedom Council and San Youth Network to also inform them of this project and supplement data for this VCP and ESIA.

F. FREE, PRIOR AND INFORMED CONSULTATION FRAMEWORK

In addition to prior, free, and informed consultation during the preparation, a framework for free prior and informed consultation for implementing this VCP has been designed in a consultative manner and following the guidelines for free, prior and informed consultation set forth by OP. 4.10. Consultations with the Vulnerable Community will be carried out through culturally appropriate processes they have identified (i.e., Kgotla meetings as noted above). Consultations will also consider the issues of gender and inclusion of vulnerable groups (elders, youth, persons with disabilities, etc.).

Broad community support was obtained in a process determined by the community. The community agreed to show their support by a show of hands, and it was determined that support was unanimous or nearly unanimous. While the community raised the possibility of receiving additional project benefits which were outside the scope of the project, the community supported the project even without the provision of these additional benefits. Benefits and mitigation measures agreed to with the community, and which will be monitored for implementation, are noted in chapter 8. Following finalization of the VCP, as agreed by the community, WUC will consult with the community to validate the VCP with the VCs on a ward-by-ward basis, in a culturally appropriate language and format. For any changes made to the VCP, the same approval and disclosure protocols as of the original VCP will be followed. Following validation, the VCP will be disclosed on WUC's website, hard and soft copies will be made available with the VDC and Kgosi and will be disclosed by the World Bank on its external website.

⁵ There are six major ethnic groups in the village. As the government, the Social and Community Development Officer of the settlement, and Village Development Committee (VDC) do not keep records based on ethnicity, and the community did not want to be identified along ethnic lines for social cohesion purposes, it was difficult to determine baseline data for ethnicity. However, based on observation and one on one interviews, including with the Kgosi and VDC, an approximate breakdown is as follows: Basarwa comprises the largest proportion of the total population in the settlement at 37 percent. The second highest are Bangwato at 33 percent.

Consultation Strategy

The community agreed to a consultation strategy whereby the Project team (Project Liaison Officer and WUC safeguards team) would meet with the community (and will request the attendance of as many Basarwa as possible) at least once a month for the entire project lifecycle to answer community questions as well as updates on the project, in addition to sensitization trainings (such as GRM or GBV) as agreed to in the project ESIA/ESMP. The method of engagement will be at the Kgotla and would observe a culturally appropriate language and format. Ad hoc meetings will be called to address pressing issues as needed either by the community or by the Project team.

The following is a proposed schedule for future consultation of Vulnerable Communities and other stakeholders:

Community Consultation Schedule

| Phase | Activities | Institution Responsible | Dates |
|-----------------|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Preconstruction | Inform community of commencement of project works | WUC (E&S specialists)/PLO | 2 weeks before the contractor comes to site |
| | Community input on selection and choice of contractor site office, any access roads if needed, etc. | Contractor/PLO/CLO | 2.5 weeks before contractor moves to site |
| | Appointment of Community Liaison Officer | WUC (E&S specialists)/PLO/Kgotla | 4 weeks before appointment of officer introduction of officer should be done 1 week after appointment |
| | Development of the GBV, SEA, SH and VAC Action Plan and mapping of services | WUC GBV, SEA, SH and VAC Specialist/Gender Dept (and NGOs) and WUC E&S specialists | 3 weeks before construction starts |
| | Awareness talks on the GRM process | WUC (E&S specialists) /PLO/CLO/Kgotla | 2 weeks after the Community liaison officer is appointment |
| | Procurement of local labour | WUC/contractor | Should be 4 weeks before selection process and 4 weeks before application deadline |
| Construction | Educational talks GBV, SEA, HIV AIDs and community consent | WUC E&S specialists (and NGOs working on GBV)/CLO/PLO | 2 weeks before training and sensitization is to take place. |
| | Update on progress of the project and | PLO/CLO | Once a month and additional meetings related to urgent issues |

| | | | |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| | implementation of VCP | | |
| Decommissioning (post construction) | Discuss how community can communicate with the project following decommissioning and feedback from the community on the project implementation | WUC (district officer and E&S specialists) | At the start of decommissioning WUC to capture meeting in minutes and produce report (for WB) and leave a copy with Kgosi's office/VDC |

Consultation with NGOs and Government Institutions

| Phase | Activities | Institution Responsible | Dates |
|-----------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Preconstruction | After award of contract – update on project start | WUC (district officers and E&S safeguards)/PLO | 2 weeks before the contractor comes to site |
| | Selection of contractor site office | Ghanzi Land board, Ghanzi District Council | 2.5weeks before contractor moves to site |
| | Use and existence of GRM | WUC (district officers and E&S safeguards)/PLO/CLO | |
| | Procurement of labour | Kgotla, San Youth Network | Should be 4 weeks before selection process and 4 weeks before application deadline |
| Construction | GBV/SHEA/VAC, HIV/AIDs | NGOs such Tebelopele for HIV AIDs, Gender Links GIDA, The local Health Post Department of Gender Affairs Local Enterprise Authorities (LEA) – and service providers | Around the start of construction and once a month during construction) or as agreed with NGOs |
| | Update policing on project, solicit feedback from policing services and Min. of Youth, Culture and Sport | WUC (district officers and E&S safeguards)/PLO/CLO | Once a month (pre-construction kick off meeting 2 weeks prior to construction and once a month thereafter or as agreed with NGOs |
| | Basarwa NGOs (Khwedom, San Youth) to update on project activities, status | WUC PIU (coordinator, E&S specialists)/PLO/CLO/Kgosi | Once a month or as agreed to with NGOs |

G. SUMMARY OF DISCUSSIONS WITH THE COMMUNITY REGARDING ADDITIONAL PROJECT BENEFITS

FOCUS GROUP DISCUSSIONS IN GOJWANE SETTLEMENT

The focus group requested for assistance in terms of funding for the development of these community projects:

1. Assistance in developing a sports complex
2. Assistance with the communal pond for irrigation and provision of water for livestock
3. Construction of a library
4. Improvement of the preschool

FOCUS GROUP DISCUSSIONS IN DAMUCHOJENAA SETTLEMENT

At the end of the focus group, discussion participants discussed ways in which the project can assist the village and they are as below (see Annex A for minutes):

1. More educational facilities such as classrooms
2. Help assist in further developing the health post
3. Assisting orphans and destitute

The two communities were informed that the budget for the project was limited and therefore it would not be possible to provide for their proposed culturally appropriate community projects under the scope of the project. The community expressed support for the project even if these additional benefits were not implemented given proposed benefits of water availability in the community.

H. ACTION PLAN FOR ENSURING SOCIO-ECONOMIC BENEFITS

It is important for this project that the Basarwa receives proper community and economic benefits that are socially acceptable for them. This will also create a sense of ownership for the project. A plan of action has been suggested to achieve that as well as a recommended institutional arrangement. A number of strategies have been identified for key areas such as

- Employment opportunities during project implementation
- Boosting of local economy
- Creation of sustainable rural livelihoods for improved household incomes
- Creating capacity for household water connection
- Protection of societal norms and values to protect the culture of the Basarwa, through mitigation of the potential negative impacts

The strategies suggested including ensuring that Basarwa receive equal opportunities in recruitment, awareness creation and skills development through training workshops and campaigns, for both men and women, and persons with disabilities. Institutional arrangements for delivery of those strategies have been suggested also.

I. BENEFITS, CHALLENGES AND MITIGATIONS MEASURES

A couple of potential benefits and adverse impacts associated with project implementation were identified. *Potential benefits include* increased employment opportunities in Damuchojenaa and Gojwane settlements and stimulation of local economy during the implementation of works. Improved water supply is also identified as a long-term benefit that will go a long way in creating sustainable rural livelihoods, improve health, hygiene, and well-being, and can create employment opportunities and boost the local economy (such as catering, backyard gardening and hairdressing) over the long-term. These are encouraged and supported through the Poverty Eradication Strategies.

Potential adverse impacts include Potential increase in STDs and new HIV/AIDS infections due to labour influx during the construction phase of the project. The interactions between salaried workers and unemployed females might result in transactional sex, an increase in alcohol and substance abuse which may also predispose community members to STDs including HIV/AIDS. Awareness creation and prevention measures will have to be put in place. Changes to community cohesion, social norms and values may be caused by the presence of migrant workers from diverse social backgrounds during the construction phase. However, in the case of Gojwane and Damuchojena these risks are relatively limited given the nature of the work to be carried out in each of these communities, which entails a relatively smaller number of workers that will be working near these communities.

The increase in income among some community members as a result of the jobs obtained during project implementation may result in exacerbating pre-existing social issues such as alcoholism, prostitution, teenage pregnancy, family breakdowns, crime and increase in violence against women and children (Gender Based Violence or GBV). Therefore, it is important to create community awareness programs to prevent the adverse impacts including awareness for contractors and monitoring their compliance to Codes of Conduct.

J. GRIEVANCE REDRESS MECHANISM

The community was consulted about the Grievance Redress Mechanism (GRM) to address project concerns from the community and provided feedback regarding ensuring accessibility, transparency, fairness, inclusion of the community on the decision-making body, and timeliness. The procedures for addressing and registering grievances is included in **Chapter 10**. The GRM includes a Grievance Resolution Committee (GRC) comprised of different stakeholders, shall be instituted to facilitate resolution of concerns, complains and grievances of the affected people. The committee will use the traditional and administrative instruments recognized at the local, national and regional levels.

K. MONITORING AND EVALUATION

Monitoring and evaluation (M & E) processes of this VCP will be built in from the early stages of the project to ensure its efficient and effective implementation. The processes will be participatory (in the sense that when communities are consulted, Basarwa also attend and participate as part of the community and the CLO is a Mosarwa where there are Basarwa communities) and for this to be achieved, all stakeholders including the Basarwa should understand the project stages and activities very well and know what to expect when and how which will promote transparency and accountability. The monitoring and evaluation mechanism includes arrangements for the free, prior, and informed consultation with the affected VCs. The framework also identifies organizational responsibilities in terms of monitoring, supervision, and evaluation procedures.

The monitoring is to assess the overall success of the VCP and the effectiveness of the various processes and measures. Monitoring activities will comprise three main components:

- Internal monitoring
- VCP completion audit (by an external expert)

The internal monitoring process will run as part of day-to-day PIU activities by the PIU teams.

The completion audit will verify full, comprehensive and transparent implementation of the project.

The project implementing staff will be trained on application of M&E processes in their day-to-day activities so that they are able to identify possible risks and ensure these are

addressed early on. This performance M&E will be done by staff on their daily project deliverables.

M&E step will be carried out throughout implementation by WUC, to establish if the project objectives and proposed activities are being implemented as planned and suggest interventions as may be needed to put the implementation back on track. This will include assessment of project progress reports, interviews with the Vulnerable Community, stakeholders, and observations. The VCs will be active in M&E as they will be consulted in assessing the implementation of the VCP, its successes, challenges, and mitigation strategies.

L. COSTS ESTIMATES

The implementation of the Damuchojenaa and Gojwane settlements VCPs will not be very expensive as the project does not involve any physical or economic relocation. The costs would be mainly for salaries of the PCU and CLO, workshops (such as for GBV, VACs, HIV/AIDS etc.) and for M&E specialists. The total cost of the VCPs is estimated to be about **US\$ 291,750.00**.

M. VALIDATION AND DISCLOSURE

The presentation of VCPs to the communities will be communicated in Setswana language which is the main language spoken in both communities. However, the monitoring consultant will ascertain if there are Basarwa who do not speak or understand Setswana so that alternative arrangements can be made for Sesarwa interpretation. The plan and its implementation activities and processes will be communicated to the Basarwa at all stages of implementation using language and approaches that are culturally appropriate. Leaflets, flyers, posters and validation workshops will be some of the communication means used for the VCP validation. Following finalization of the VCP, as agreed by the community, WUC will consult with the community for plan validation on a ward-by-ward basis, in a culturally appropriate language and format. For any changes made to the VCP in validation exercise, the same approval and disclosure protocols as of the original VCP will be followed. Following validation of an agreed VCP with the community, the VCP will be disclosed on WUC's website, hard and soft copies will be made available to the VDC, district WUC offices, Damuchojenaa and Gojwane Kgotla offices, and will be disclosed by the World Bank on its external website.

1.0 BACKGROUND

This Vulnerable Community Plan (VCP) has been prepared as part of the Environmental and Social Impact Assessment (ESIA) for the sub project “Selebi-Phikwe to Serule Water Transfer Scheme” of the Botswana Emergency Water Security and Efficiency Project. It is submitted in fulfilment of World Bank’s Safeguard Policy OP4.10 on Indigenous Peoples (referred to as vulnerable communities in the Botswanan context).

Basarwa, who are the vulnerable minority ethnic group in Botswana are found as communities in Damuchojenaa and Gojwane settlements, which are two of the six project beneficiary settlements in this sub-project. The other beneficiary settlements are Mmadinare, Serule, Moreomabele, and Topisi (**See Map 1**). The development objective of the project is to improve availability of water supply in drought vulnerable areas, increase the efficiency of WUC, and strengthen wastewater management in selected systems. The Selebi-Phikwe sub-project aims to supply enough quantities of treated potable bulk water to the populations of six settlements in the long term for the next 20 years (i.e., up to 2040). The settlements currently experience water shortage and at times have gone for days without water supply. This project is to supply water on a sustainable basis to improve the quality of life of the beneficiaries.

Damuchojenaa and Gojwane settlements are also considered remote settlements as per the Botswana National Settlement Policy of 1998. A remote area settlement must be less than 250 people or 50 households and the geographical location of such a settlement should be remote in the context of Botswana.

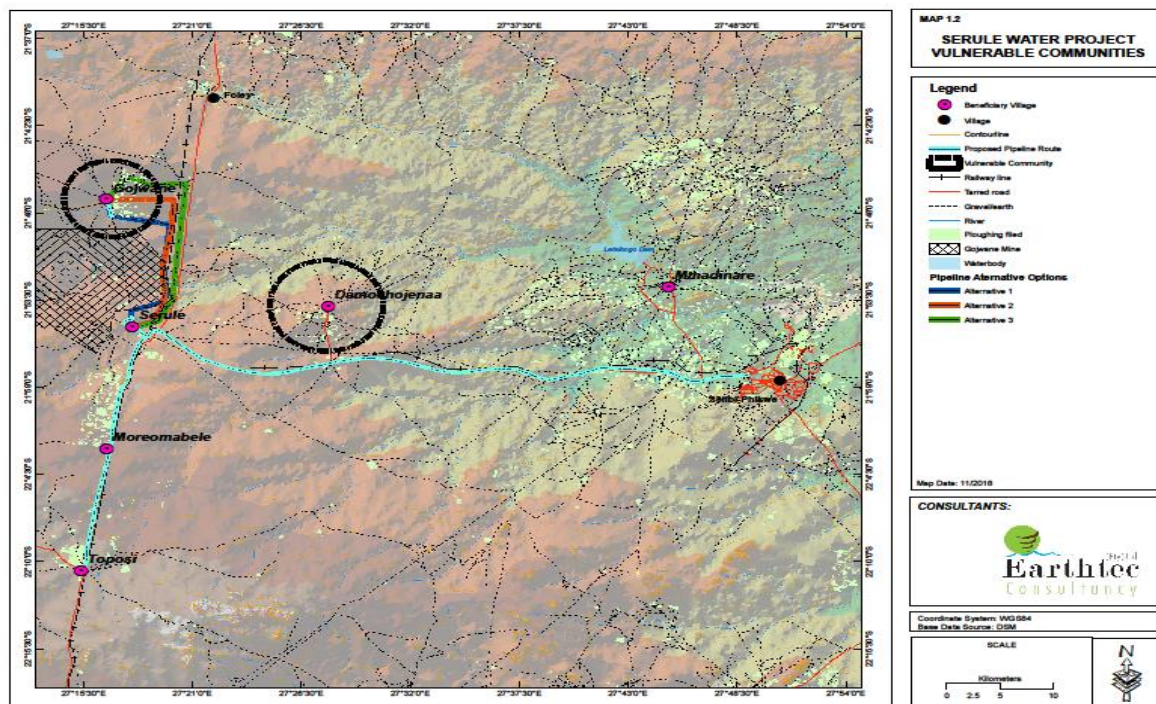
Basarwa in Damuchojenaa live with other tribal groups. The village has four wards, and the Basarwa occupy a specific ward as a community which is adjacent to the project line, even though none of the community members will be physically or economically displaced. The same applies to Gojwane, the Basarwa have their own ward and the pipeline passes through that ward using existing rights of way to the new tanks. This further shows their value of social capital and living together as a community.

In view of the above, the Vulnerable Communities have been included in the project preparation, implementation and monitoring. They have been consulted extensively over issues that affect them and any potential adverse impacts emanating from the project have been identified and adequately mitigated in relation to vulnerable community.

In addition to the above, the Government of Botswana recognizes the two settlements as vulnerable due to their geographical locations (more than 15km from a major settlement), incidence of poverty and general lack of access to basic social services.

This Vulnerable Community Plan has therefore been prepared for Gojwane settlement and Damuchojenaa settlement as indicated in **Map 1** below.

Map 1: Locations of Vulnerable Communities in relation to the Project Site



The objective of this VCP is to ensure that the implementation of the project respects the values, human rights and the culture of the Vulnerable Communities to be affected by the project and will:

- Consider the expectations and economic and social developmental needs of the Vulnerable Communities (VCs)
- Identify potential positive and negative impacts of the project on VCs
- Come up with measures to avoid, mitigate, or compensate for the adverse project effects,
- Ensure that culturally appropriate project benefits will accrue to VCs
- Ensure that there are measures for timely grievance redress
- Ascertain that there are measures to strengthen the capacity of implementing agencies at central as well as the district level to address VCs issue,
- Assess the possibility of involving local CBOs and NGOs with expertise in VCs issues
- Ensure that there is adequate budget allocation for the implementation of the plan
- Monitor and evaluate performance of the plan

The main components of the works to be undertaken within the settlements are as follows:

- Construction of a 110 mm uPVC Class 9 branch off to Damuchojenaa settlement. This is within the road reserve to the existing tank. The total length is 7km.
- Construction of a 300 m³ elevated distribution tank at Damuchojenaa settlement within the land of the existing water tank.
- Construction of a new 400 m³ elevated (15m) distribution tank at Gojwane settlement. To be located at a new plot of about 937 m² in size, outside of community boundaries.
- Construction of a 110 mm uPVC Class 9 transfer pipeline to the proposed 400m³ elevated distribution tank at Gojwane settlement. This will cover a length of 21.7km

from Serule village, along the railway reserve then turn into Gojwane settlement to the new water tank.

- Old water storage tank is to be decommissioned at Gojwane.

Maps 2 and 3 below shows the location of the pipeline routes and water tanks in Gojwane and Damuchojena, respectively. Even though the pipeline passes through the settlements, it uses the existing rights of way, and no physical or economic resettlement is anticipated. The new plot for the water tank in Gojwane is on tribal land⁶ on the outskirts of the village. The water tank for Damochujenaa is on an already existing plot. The pipeline will not cut through any land used for cultural rituals by Vulnerable Communities.

Map 2: Location of the Pipeline Route and Water Tank in Gojwane



Map 3: Location of the Pipeline Route and Water Tank in Damuchojena.



⁶ Tribal Land is land administered under the Tribal Land Act through Land Boards. This includes all land in rural areas with the exception of land held under freehold title or State land. Under the Tribal land tenure all citizens are entitled to land for residential, arable and grazing. Tribal land is allocated free of charge and cannot be sold. About 70% of land in Botswana is under tribal land tenure.

2.0 LEGAL AND INSTITUTIONAL FRAMEWORK APPLICABLE TO VULNERABLE COMMUNITIES (VCS)

This section contains information of the legal and institutional framework which governed the preparation of the Vulnerable Community Plan.

Table 1: Botswana and International Legal Frameworks Relevant to VCs

| LEGAL DOCUMENT | DESCRIPTION AND RELEVANCE |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 BOTSWANA | |
| Constitution of Botswana, 1966 | The Constitution of Botswana does not use the term “Indigenous Peoples” but recognizes the fundamental rights and freedoms of individuals including the Vulnerable Communities (. The Constitution protects the rights to life, personal liberty, from slavery and forced labour, inhumane treatment, deprivation of property, the privacy of home and other property, freedom of conscience, freedom of assembly and association, freedom of movement, from racial and gender-based discrimination. |
| Tribal Land Act (1968) | <p>This Act transferred all the powers previously vested in a Chief and a subordinate land authority under customary law in relation to allocation of tribal land to the Land Boards.</p> <p>Land Boards under this Act administers tribal lands, which is applicable to all land in rural areas exception for land held under freehold title or State land. Tenure on communal land centres is on a three-fold land use system namely residential, arable and grazing lands. Under customary law, all citizens are entitled to land for their own use; each villager is entitled to a residential plot in the village and arable land. If the villager rears livestock, he/she may also have a cattle post in the grazing land, but the use of grazing land is communal. Tribal land, whether under customary or common law is allocated free of charge and cannot be sold.</p> |
| Tribal Land (Amendment) Act (1993) | The 1993 the Tribal Land Act amended the previous 1968 law to allow for the determination of land use zones in tribal areas. According to the Act, a Land Board after consulting with the District Council determine and define land use zones within a tribal area. The Land Board shall not make grants of land for any use which conflicts with the use for which land is zoned. Land Boards may determine management plans for use and development of the zones. |
| Remote Area Development Programme (RADP) | <p>A remote area settlement must be less than 250 people or 50 households in remote areas of Botswana, located far from centers of basic services and facilities. These areas are often characterized by severe poverty, lack of income generating opportunities and educational attainment, have low literacy levels and depend on a deteriorating ecological resource base.</p> <p>The overall goal of the RADP is to achieve sustainable social and economic development of the remote area dwellers. Specifically, the RADP objectives are to:</p> <ul style="list-style-type: none"> - Undertake intensified development of remote settlements to bring them to a level of development comparable with the rest of other communities/settlements in the country. - Promote production-oriented income and employment generating activities. - Enhance remote area dwellers access to land and other natural resources. - Provide remote area dwellers with training and education to enable them to be self- sustaining |

| LEGAL DOCUMENT | DESCRIPTION AND RELEVANCE |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Affirmative Action Framework for Remote Area Communities (2009) | <p>Was conceived to accelerate the implementation of the Revised Remote Areas Development Program (RADP) as discussed above.</p> <p>The objectives of the Framework are to:</p> <ul style="list-style-type: none"> - Promote social inclusion of people living in recognized remote area settlements, both individually and/or as a family in the development of the country. - Provide development infrastructure in the recognized remote area settlements for the RACs to be able to participate in the economic and social activities of the country. - Enable to build sustainable livelihoods, promote self- reliance and sustainable utilization of natural resources. - Enhance RACs access to social services, poverty eradication initiatives, and other national development programmes. - Facilitate community participation of remote area communities in community development initiatives. - Enhance collaboration with non-governmental organizations (NGOs), community-based organizations (CBOs), faith-based organizations, development partners and private sector for the development of remote area communities |
| Revised Guidelines for Implementation of Ipelegeng Programme (2012) - (Labour based Public Works Programme) | <p>Ipelegeng is a Government Initiative or programme whose main objective is to provide short term employment support and relief whilst at the same time carrying out essential development projects that have been identified and prioritized through the normal development planning process. Targets unskilled and semi-skilled labour for short term assistance due to other economic factors through the use of simple tools and machinery. The Ipelegeng programme is currently run-on permanent basis covering both urban and rural districts including all Ministries.</p> <p>Most people in Gojwane and Damuchojena are employed under the Ipelegeng programme.</p> |
| Revised National Policy on Destitute Persons (2002) | <p>A destitute person is defined as:</p> <ul style="list-style-type: none"> - An individual without assets (resources and assets defined as cattle, other livestock, land, cash, cannot plough due to ill-health or disabilities, close family members cannot/will not assist and is; - Physically or mentally incapable of working due to old age, physical or mental handicap; or - A minor child or children whose parent(s) has/ have died or deserted the family. <p>This policy was developed in 1980 which stated that the Government must confront the larger issue of providing programmes and opportunities which will enable persons to help themselves and not call upon Government subsidy. Therefore, a strong rehabilitation programme is vital so that the destitute person, if possible can become self- sufficient.</p> |
| Government Housing Programme (Destitute Housing Scheme) | <p>The Revised National Policy on Destitute Persons (2002) also has a provision for housing should a destitute person be found to be living in shelter that is not habitable. This Government's initiative is designed to improve housing conditions for all in both urban and rural areas. It states that the "eligibility of destitute benefits is targeted and conditional. Any assistance provided under the Destitute Policy is not an automatic entitlement. Eligibility is focused on individuals who are either self-identified or who have been identified and nominated by household members or community leaders or local organization".</p> |
| 2.2 INTERNATIONAL | |
| ILO Convention (169) on Indigenous and Tribal Peoples | <p>While Botswana is not a signatory to the Convention, it is part of international law and will guide understanding of Vulnerable Communities to ensure they benefit from this project in line with their rights and priorities.</p> <p>The Convention establishes responsibility for governments to ensure Indigenous Peoples are not discriminated against and to socio-economic</p> |

| LEGAL DOCUMENT | DESCRIPTION AND RELEVANCE |
|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life; that the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals; and that the integrity of the values, practices and institutions of these peoples shall be respected, and that they are properly consulted and able to participate in decision-making about decisions which impact them, among others.</p> <p>This Convention is relevant to the project as Damuchojenaa and Gojwane Vulnerable Communities as per OP4.10 Indigenous Peoples; as such they are to be involved in the project planning, implementation and monitoring through engagement throughout all the phases of the project, in line with OP4.10.</p> |
| <p>The 2005 Report of the African Commission on Human and People's Rights Working Group on Indigenous Populations</p> | <p>The African Commission on Human and Peoples' Rights, a sub-body of the African Union, adopted the report of the Working Group. This is the African Commission's official conceptualization of, and framework for, understanding Indigenous Peoples, and as such it is an important African instrument for recognizing Indigenous Peoples (or Vulnerable Communities in Botswana) in Africa and improving their situation. In its report, the African Commission outlines key characteristics, which identify indigenous peoples and communities in Africa. The report emphasizes that the African Peoples who are applying the term "Indigenous" in their efforts to address their particular social situation are mainly hunter-gatherers and pastoralists, and in some cases, blended livelihoods to account for changes in circumstances due to land loss, the impacts of government development initiatives, and other factors. The African Commission report emphasizes that the overall characteristics of groups identifying themselves as "Indigenous communities are that:</p> <ul style="list-style-type: none"> - Their cultures and ways of life differ considerably from the dominant society. - Their cultures are under threat, in some cases to the point of extinction. - The survival of their particular way of life depends on access and rights to their lands and the natural resources thereon. - They suffer from discrimination as they are regarded as less developed and less advanced than other more dominant sectors of society. - They often live in inaccessible regions, often geographically isolated. - They suffer from various forms of marginalization, both politically and socially. |
| <p>UN Declaration on Rights of Indigenous Peoples (2007)</p> | <p>This Declaration, adopted by the UN General Assembly in September 2007, affirms the minimum standards for the survival, dignity, security and well-being of Indigenous Peoples. It delineates the individual and collective rights of Indigenous Peoples, including their ownership rights to cultural expression, identity, language, employment, health, education and other issues. This includes the right to maintain and strengthen their own institutions, cultures and traditions while still participating in and remaining attached to the State, and to pursue their social and economic development in keeping with their own needs and aspirations. It prohibits discrimination against them, and it is centered on the importance of their full and effective participation in decision-making in all matters that concern them.</p> |
| <p>Agenda 2063: The Africa We Want</p> | <p>Agenda 2063 is Africa's blueprint and strategic framework for the socioeconomic transformation of the continent over the next 50 years that aims to deliver on its goal for inclusive and sustainable development and pan-African goal for unity, self-determination, freedom, progress and collective prosperity. It builds on and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development. It is also in line with the Sustainable Development Goals.</p> |

| LEGAL DOCUMENT | DESCRIPTION AND RELEVANCE |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>The key features are:</p> <ul style="list-style-type: none"> - Effect equitable and people-centered growth and development, - Eradicate poverty, - Develop human capital (social assets, infrastructure and public goods), - Establish enduring peace and security, - Put in place effective and strong developmental states, - Promote participatory and accountable institutions, - Empower women and youth to fulfil the African Dream. |

Table 2: World Bank Triggered Policies

| World Bank Safeguards Operational Policy (OP) | Triggered by this Project | Remarks |
|-----------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OP4.10 Indigenous Peoples | Yes | Two of the six beneficiary villages have Indigenous Peoples (known as Vulnerable Communities in this project), the Basarwa (San) in Damuchojena and Gojwane settlements. As per OP4.10, this VCP has been prepared for the two communities. |
| OP4.01 Environmental Assessment | Yes | Initial evaluation has identified potential negative environmental and social impacts, thus, there is a need for an environmental and social assessment to ensure appropriate mitigation measures are in place during all stages of the sub-project. |
| OP4.37 Dam Safety | Yes | While this policy is triggered at project level provisions under OP 4.37 are not be applicable to this sub-project as the water source is groundwater. |
| OP7.50 Projects on International Waterways | Yes | This policy is triggered at project level. |
| OP4.11 Physical Cultural Resources | Yes | No sites of cultural or historical significance will be affected by the sub- project. However, there could be Chance Finds. Procedures are therefore described in ESIA in case of any discovery. |
| OP4.12 Involuntary Resettlement | Yes | <p>This policy was triggered for the entire project, and it applicable to two settlements (Topisi and Mmadinare).</p> <p>No economic displacement is expected in this subproject.</p> |

3.0 SUMMARY OF SOCIAL ASSESSMENT AND BASELINE

3.1 HISTORY OF SAN (BASARWA) IN BOTSWANA

Botswana is a culturally diverse country. Traditionally, Basarwa were semi-nomadic with hunter-gatherer livelihoods. Their association with the land was based on complex intra-cultural negotiated systems and because they had no formally recognized land tenure system, they were often seen as having no land of their own (and therefore no rights to land). Territory available to the Basarwa (San) has decreased over the last century through successive in-migrations of both colonial and other African tribal groups, as well as bans on wildlife hunting and conversion of some of their traditional territory to protected areas. The Basarwa (San) have been historically excluded for their distinct cultural characteristics and that affirmative action is necessary to ensure their survival. In fact, the San are the oldest

original peoples of Africa (and in Botswana it is estimated they arrived approximately 200,000 years ago).⁷

Botswana Government maintains that all citizens of the country are aboriginal or “Indigenous” (understood as those were there first). However, some groups in Botswana identify as “Indigenous peoples” as affirmed in international and African regional frameworks. These groups include the San, the Balala and the Nama. The Basarwa (San) belong to the Nharo, !Xo, G//wi, G//ana, Tyua, Deti, /Auni, /Xam, //Xegwi, Kwe, Ju/'hoansi and //Khaueisi, among other ethno-linguistic groups. The San are traditionally hunter-gatherers although they no longer depend on it exclusively due. Many Sans live in remote rural settlements where land tenure is uncertain, where other ethnic groups dominate and where there are few livelihood options apart from selling handicrafts, meat and foraged products such as thatching grass or firewood, in the towns. Others work on cattle farms as labourers.

3.2 Summary of Assessment of OP4.10 Criteria of San (Basarwa) in Damuchojena and Gojwane

Considering the criteria of Indigenous Peoples (Vulnerable Communities) and screening following the World Bank OP4.10 Policy, the Basarwa communities in Damuchojena and Gojwane settlements can be referred to as a distinct social and cultural group possessing the following characteristics in varying degrees who meet the criteria under OP4.10.

- a) *Self-identification as members of a distinct indigenous cultural group and the recognition of the Basarwa as a distinct cultural group.* The Basarwa is recognised beyond national, regional and international borders. This is because they still identify themselves as Basarwa and have not forgotten their ancestral history.
- b) *Collective attachment to geographically distinct habitats or ancestral territories among the area of project implementation.* The Basarwa in the project area have formed a collective attachment to the land they currently occupy, even though historically the project area would not be considered their ancestral territories. Basarwa are believed to be the first inhabitants of Botswana arriving some 20,000-30,000 years ago.⁸ As hunter-gatherers, they used lands seasonally in search for water, wildlife and gathering wild fruits and tubers. Since the early 1900s, many Basarwa left their lands because they were transformed into large cattle farms and national parks such as the Central Kalahari Game Reserve (1961) and the Kalahari Gemsbok National Park (1931)⁹. Despite ancestral land loss, the Basarwa in these two settlements formed a collective attachment to land they currently occupy.
- c) *Customary cultural, economic, social, or political institutions that are separate from those of the mainstream society or culture.* They still practice hunting at a small scale, but they have to apply for a permit to hunt for example bird bunting (guinea fowls etc.) and they still gather wild fruits and tubers for their consumption and selling any surplus left. They still practice their ancestral dance of ‘*tsutsube*’. They still teach their children this dance and even take them to the Western side to learn their ancestral dances. They still practice ‘*botsetsi*’ whereby a girl who just started their menstrual period is detained

⁷ See IPPF for Human-Wildlife Conflict Management (HWCM) in Northern Botswana Project (2016); T. Tlou, and A. Campbell, 1984. History of Botswana. Botswana, Gaborone: Macmillan; and a more recently study on this issue, Chan, E.K.F., Timmermann, A., Baldi, B.F. *et al.* Human origins in a southern African palaeo-wetland and first migrations. *Nature* **575**, 185–189 (2019). <https://doi.org/10.1038/s41586-019-1714-1>

⁸ T. Tlou, and A. Campbell, 1984. History of Botswana. Botswana, Gaborone: Macmillan.

⁹ IPPF for the World Bank funded project, Human-Wildlife Conflict Management in Northern Botswana (2016).

for seven days while dance rituals are done for her, as well as rites of passage for boys who are maturing into manhood.

- d) *A distinct language or dialect*, often different from the official language or languages of the country or region in which they reside. Basarwa speak their distinct dialect, Sesarwa, a click-based language that differs from other languages in the country.

In addition to the above, the Government of Botswana recognises the two settlements in general as vulnerable due to their geographical locations (more than 15 km from a major settlement), incidence of poverty and general lack of access to basic social services.

The Vulnerable Communities have been included in the process of project preparation and will be included during the implementation of works. They have been consulted over issues that affect them and any potential adverse impacts emanating from the project have been identified, discussed, and adequately mitigated in relation to the Vulnerable Communities.

The baseline socio-economic data of the two settlements are presented below.

3.3 GOJWANE SETTLEMENT

Gojwane according to the Kgosi is a Setswana word meaning small pond. Gojwane settlement is reported to have been established following the expansion of Serule village. It is said that the late Kgosi Tshekedi Khama, the then Bangwato Chief from 1926 to 1959 sold his cattle post in Serule village and some of his cattle herders who were Basarwa whom he had brought into the Bangwato Tribal Authority to herd his cattle then moved out of Serule village and built permanent homes and settled north of Serule which is now known as Gojwane settlement. There is no doubt that some of the inhabitants of Gojwane settlement have blood kinship and a majority of the people share the same totems, customs and traditions.

It was gazetted and recognized in 1978 as a settlement. The presence therefore of the Basarwa in the village has triggered OP 4.10 and hence a Vulnerable Communities Plan has been prepared.

3.3.1 Demographic Characteristics

According to Statistics Botswana (2015), the population of Gojwane settlement increased from 1,041 in 2001 to 1,499 in 2011. The population change was about 44 percent and is growing at a rate of 1.7 percent per annum. The proportion of women and men in the settlement is 51 and 49 percent respectively.

The population distribution for Gojwane area indicates that one of the highest age groups in the settlement is between the ages of 0-14 years which accounts for 44.6 per cent of the population. Those over 65 years account for 4.7 percent and the potential working age, 15-65 years account for the remaining 50.7 percent.

With the concession granted for a Uranium Mine (A Cap Resources) anticipated to be established about 3 km south of the settlement there is a high chance that the population growth would increase as the mine will attract migrants looking for job opportunities.

Household sizes of the community members in Gojwane based on the survey carried out is on average six (6) people, higher than the national average household size of 4.7. The reason for the high household sizes is based on the cultural background of residents.

3.3.2 Ethnicity and Language

There are six major ethnic groups in the village. As the government, the Social and Community Development Officer of the settlement, and Village Development Committee (VDC) do not keep records based on ethnicity, and the community did not want to identify along ethnic lines for social cohesion purposes, it was difficult to determine baseline data for ethnicity. However, based on observation and one on one interviews, including with the Kgosi and VDC, an approximate breakdown is as follows: Basarwa comprises the largest proportion of the total population in the settlement at 37 percent. The second highest are Bangwato at 33 percent.

The most common language spoken in the settlement is Setswana and this is because the settlement has a very diverse ethnic background. Most residents are multi-lingual as English language is also spoken in the village. The Sesarwa language is generally not used as a main language of communication in the village; however, there are few elders or individuals who speak the language within the village. According to Kgosi and the Social and Community Development (S&CD) Officer the Sesarwa language is not used as a main language because Setswana and English are the official languages of the country and due to inter-ethnicity marriages, the common language spoken and understood by everyone in the settlement is Setswana. Setswana is again used as a medium of teaching in the primary and secondary schools rather than the Sesarwa language.

According to Statistics Botswana, Gojwane falls within the Central District and the most common language spoken is Setswana with 90 percent of settlements in district speaking it and about 24 percent speak Sesarwa within the district.

3.3.3 Political and District Administration

The settlement is under the jurisdiction of the Tonota Sub District Council. It is represented at the Council by an elected member from both the settlement and Serule village. The two settlements also form part of the Serowe-North Constituency which includes Serule, Moreomabele and Topisi settlements. They together elect a Member of Parliament to the National Assembly and a Councillor to the District Council.

3.3.4 Tribal Administration

The project area is located on tribal land which is under the jurisdiction of the Bamangwato Tribal Authority. Although the settlement is predominantly Basarwa, they have the same tribal institutions as pertaining to the other beneficiary settlements within the project area. Like all other settlements it has a Kgosi and headmen who attend to tribal and customary issues which is typical of a Tswana culture. There is a Kgotla where community meetings are held. The settlement also has a Village Development Committee (VDC) as part of their Tribal Administration. The VDC members are elected by the community. The VDC oversees the development and welfare of the village/settlement. As part of the Tribal Administration, there is a land overseer who works with the community and the Land Boards in verifying and investigating land allocation for various purposes.

3.3.5 Housing

It was observed during site visits that there were more mud huts seen than modern houses. The reason for this could be the high poverty rate as well as the low-income levels in the village.

3.3.6 Employment and Livelihoods

Employment in the settlement of the vulnerable members is mainly the Ipelegeng (Labour Based Public Works Programme). This program temporarily employs about 90 percent of the work force in Gojwane.

For livelihood, livestock rearing and gathering of natural resources such as mopane worms, firewood, and fruits for both subsistence and sale are popular. Hunting for fowls (guinea fowls, francolins) and rabbits are common.

Gojwane settlement is faced with high levels of unemployment. Community statistics were unavailable however, approximately 90 percent of working age persons in Gojwane are temporarily employed on a 2–3-month term rotational basis through Botswana's social protection work program, Ipelegeng.

A concession was granted for an A-Cap Uranium Mine and it is anticipated that most of the residents of Gojwane settlement will be formally employed in the mine once it starts operating. This will contribute to the reduction of unemployment and poverty in the village.

3.3.7 Income Poverty

About 48 percent of the population live below the Poverty Datum Line (PDL) (less than \$1.90 USD/day). This is more than double the national average of 19.3 percent. It is the highest poverty-stricken settlement amongst all the beneficiaries' settlements. The main causes of poverty include unemployment, declining agricultural production and diseases.

3.3.8 Education

Gojwane has a primary school as per the National Settlement Policy (NSP). The school as of September 2018 had a total of 431 pupils (197 females and 234 males) and 21 members of staff. The school offers classes from reception (pre-school/nursery, ages 3-5 years) to standard 7 (ages 6-12).

Majority of the guardians/parents have never been to school or dropped out in the early stages of their school life themselves, therefore they find it difficult to enforce the role of education to their children. Some guardians/parents may not necessarily understand the importance of education leading to inter-generational low education attainment. To assist with livelihoods, some children are encouraged not to attend school by their parents or guardians to go and work in the farms. Some leave school completely (Statistics Botswana, 2011).

Department of Tertiary Education Funding has a special dispensation set for Remote Area Dwellers People (RADP), less privileged children and orphans. The cut off points at Form Five level to get Government sponsorship to tertiary level is 36 however the RADP children, less privileged children and orphans' cut-off point is 31 which is significantly lower than the 36 points required to have been met by all other students.

In 2018, Gojwane had approximately 100 pupils completing Botswana General Certificate of Secondary Education (BGCSE) which is the final year of senior school (form 5). Out of the 100 pupils, 80 students performed well enough to proceed to tertiary schools, from the 80 only about 3 (3.75 percent) of these students were Basarwa.

3.3.9 Health

There is a Health Post in Gojwane. According to the nurse in charge at Gojwane Health Post, the predominant disease in the settlement is HIV/AIDS. The most affected population ranges between 20–34 years of age and mostly are women.

The village nurse indicated a low incidence of condom use as a result of behavioural norms, practices and preferences of the residents. This has contributed to the high number of HIV cases in the village. Health educators have on conducted training and awareness programs in the village to increase understanding of transmission of STDs including HIV/AIDS and the importance of contraceptive use to mitigate both pregnancy and the transmission of STDs. Patients with any other major health issues in Gojwane are transferred to Selebi-Phikwe Primary Hospital or Nyangabwe Referral Hospital in Francistown.

The Health Post is electrified and is serviced by two (2) Nurses, three (3) Health Educators; three volunteers, a cleaner and a driver. They have one ambulance. A medical doctor visits the health post every Thursday. They also dispense antiretroviral (ARV) drugs to those enrolled in the treatment scheme.

Traditional medicine as an alternative to modern medicine is also practiced in the settlement. There is even an annual festival in the promotion of the use of traditional medicine. The settlement of Gojwane has approximately 15 to 20 traditional doctors.

3.3.10 Access to Water Supply and Sanitation

Gojwane settlement face the problem of water shortages. Majority of households (222) access water from communal taps, whilst 58 households have piped water outdoors. Only 15 households out of a total of 337 households have piped water connection in their houses.

The settlement has a rudimentary waste collection facility. Each ward in the settlement has a litter disposal area of which the Ipelegeng workers collect litter within the area and place them in a designated waste area. Pit latrines are the common type of sanitation used in the village.

3.3.11 Types of Vulnerability and Number

According to the Social and Community Development Officer in Gojwane settlement, there are about 179 (See **Table 3**) registered destitute persons (poor)¹⁰, orphans, people with disability, needy students and children in need of care.¹¹ Of the registered vulnerable people, 54 percent were Basarwa.

¹⁰ Destitute Person: An individual who, due to disabilities or chronic health condition, is unable to engage in sustainable economic activities and has insufficient assets and income sources, or an individual who due to old age, mental or physical disability, emotional or psychological disability or being a terminally ill patient, and having no means of support, is incapable of engaging in a sustainable economic activity and has unreliable and limited sources of income.

¹¹ Needy students are those who lack the financial means for uniforms, transport fees, food, among other things.

Table 3: Number of People Per Category of Vulnerability in Gojwane Settlement

| Vulnerability Type | Females | Males | Total |
|--------------------|------------|-----------|-----------------|
| Destitute Persons | 40 | 19 | 59 (35) |
| Disabled | 8 | 7 | 15 (7) |
| Orphans | 14 | 19 | 33 (32) |
| Needy Students | 39 | 33 | 72 (22) |
| Total | 101 | 78 | 179 (96) |

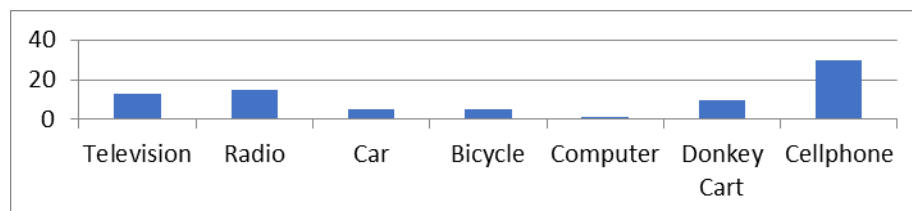
Source: Social and Community Development Officer, Gojwane

*Numbers in brackets represent number of Basarwa

3.3.12 Household Possessions Owned by Vulnerable Community Members

Figure 1 below, shows the most common type of properties owned by community members' in Gojwane. All community members who took part in the survey owned cell phones.

Figure 1: Household Possessions Owned by Participants



3.4 DAMOCHUJENNA SETTLEMENT

The name 'Damochujenaa' according to Botswana Press Agency (BOPA),¹² is a Sesarwa name that means -*Sedibana sa motho yo o seleme* in Setswana and meaning a 'borehole that belongs to a person with a lisp or foreign language'. The Basarwa were the first inhabitants of the settlement.

The history of Damochujenaa settlement dates back to the late 1800 and early 1900 when a Bangwato chief, Kgosi Khama III sent a mongwato (a man from the Bangwato Tribe) man named Motswerenyane and his grandfather by the name of Moshakge (the father of Gakebone Kebalipile), and also a Basarwa from Seleka in the Shoshong area to establish cattle posts near Damochujenaa at places called Sedibe and Boditela for his cattle and sheep.

As BOPA notes, it is believed that descendants of Moshakge were hunters and gatherers. One of the days, some village elders went out to gather wild fruits and roots. While they were harvesting wild fruits called 'moretologa', they came across a waterhole, and they discovered a dwelling and a man living there. The man spoke a language they did not understand. This man allowed them to harvest water at the borehole after which they left the place and returned to their home at Sedibe cattle post. They subsequently told their clan that they found a waterhole that belonged to a person that spoke a different language.

They said "Da-mochu-jenaa" (in Sesarwa) meaning "a water borehole that belongs to a person speaking a foreign language". The Kgosi corroborated this history and he said since then on, whenever people were away from Sedibe and Boditela cattle posts herding cattle and collecting wild fruits in the bush, they would pass by Damochujenaa water hole to

¹² Botswana Press Agency (BOPA) is a government owned domestic news agency. <http://www.dailynews.gov.bw/news-details.php?nid=4414>

quench their thirst. As such, that the place was called Damuchojenaa and residents of Sedibe and Boditela started to identify themselves and their village with the name Damochujenaa.

Around 1973 when Kebabipile Gakebone passed away, his son Thaloso Kebabipile who is his elder brother (Kgosi Motsholetsii Kebabipile) moved from Sedibe cattle posts in the early 1970's to Damochujenaa to start ploughing fields and be closer to the road that leads from Serule to Selebi Phikwe mining town for easy access to goods and services.

Around the mid 1970's started to grow with people from other parts of Botswana such as Bangwato, Babirwa, Bakalaka and Batebele settling there to plough their fields and herd cattle.

However, Mr. Kebabipile said from 1984 up to 1989 the village elders and his brother engaged the former area Member of Parliament Dr Kedikilwe and Dikgosi from villages such as Mmadinare to have their settlement recognized as a village. It is documented by (BOPA, 2013) that with the help of Dr. Kedikilwe, Damochujenaa was upgraded to a village in 1989. The current Kgosi of the village was called upon to become the Kgosi in 1999 following the death of Thaloso Kebabipile in 1998. He was the only direct descendant (grandson) of Moshakge.

3.4.1 Demographic Characteristics

Data from Statistics Botswana indicates that Damuchojenaa in 2001 had a total population of 781 and in 2011 the population was 993. This therefore illustrates a 27.0 percent increase from the year 2001 to 2011. In 2011, 43.2 and 56.8 percent of the population were men and women respectively. It is the most youthful village of all the beneficiary settlements with a total of over 95 percent below the age of 65 years. About 48.9 percent of the population are between 0-14 and 4.7 per cent are over 65 years old and the rest form 46.4% of the population.

Household sizes of the community are on the average six people in each household. This is higher compared to the national average household size of 4.4. The reason for the high household sizes is based on cultural background, where no family planning is practiced.

The Basarwa in the settlement are the majority of the population at 46.7 percent. The settlement of Damuchojenaa can be seen to be diverse in ethnicity and cultural background. This is due to the close proximity of Damuchojenaa to the mining town of Selebi-Phikwe. The mine attracted high levels of labours during its operation. These labours acquired land and houses in nearby settlements including Damuchojenaa. After the closure of the mine in 2017, the majority of them remained in the nearby settlements.

3.3.2 Ethnicity and Language

The most common language spoken in Damuchojenaa is Setswana. It was mentioned during the focus group discussions that the majority of the Basarwa living in the area especially the youth, do not speak their native language as expected, as it has been lost through interrelating with other tribes. Most residents are multilingual as English language is also spoken in the settlement. Setswana language is generally used as a main language of communication in the village; however, there are few elder individuals who speak the Sesarwa language within the village.

3.3.3 Political and District Administration

Damuchojena falls under the Bobirwa Sub District jurisdiction. The settlement together with Mmadinare village and other ten settlements constitute the Mmadinare Constituency. They elect one Member of Parliament to the National Assembly. The settlement together with Mmadinare village also elects one Councillor as their representative to the Sub-District Council. The settlement is politically under the Bobirwa Sub District Council under the Central District Council.

3.3.4 Tribal Administration

The settlement is also under the jurisdiction of the Bamangwato Tribal Authority. The settlement although is predominantly Basarwa, they have the same tribal institutions as other beneficiary settlements within the project area. Like all other settlements it has a Kgosi (who is a Mosarwa) and headmen who attend to tribal and customary issues. There is a Kgotla where community meetings are held. The settlement also has a Village Development Committee (VDC) as part of their local administration institutions. The VDC members are elected by the community. The VDC oversees to the development and welfare of the village. As part of the Tribal Administration, there is a land overseer, who works with the community and the Land Boards in verifying and inspecting land for allocation for various purposes.

3.3.5 Housing

Damuchojena has a mixture of both modern and traditional housing structure. Most of the traditional houses are built with mud and thatched roofing whilst the modern structures are built with concrete brick materials and corrugated iron roofing. Most of the modern houses built in the settlements are by the former workers of the mine in Selebi-Phikwe. About 97 percent of those household interviewed own their houses.

3.3.6 Employment and Livelihoods

Community statistics were unavailable however, approximately 90 percent of working age persons in Damuchojena are temporarily employed on a 2–3-month term rotational basis through Botswana’s social protection work program, Ipelegeng. The main livelihood of the settlement is pastoral farming. They also collect natural resources such as grass, firewood and mophane worms for subsistence and also for sale. Most of the residents (90 percent) are engaged in the Ipelegeng (Government Labour Based Public Works Programme). The pipeline route has avoided the pasture or grazing land located near the main road to avoid disruption of their livelihoods even though the community agreed that part of the grazing land could be used for the pipeline route.

3.3.7 Income Poverty

About 33 percent of the population are living below the PDL. From the survey conducted in the settlement, it was observed that the most common type of occupation in the village was “Ipelegeng”, where the community members earn P567 per month. In Damuchojena the maximum monthly income was P 4,500 per month and the minimum was zero. The mean of the monthly income in the settlement was P 292.11 per month which translates to P 9.42 per day which is also below the Worlds Banks stipulated Poverty Datum Line of US\$1.25 per day.

3.3.8 Education

Damuchojena has one primary school offering classes from reception (pre-school/nursery, ages 3-5 years) to standard 7 (ages 6-12 years). Upon completion, students are then transferred to Junior Secondary School in Serule village, which is about 16 km away. The junior secondary school has boarding facilities; therefore, children are accommodated on campus. Those who successfully complete junior secondary school are taken to Mmadinare Senior Secondary School which is about 19 km away. Transport during term breaks is usually provided by the S&CD officer for children to come home as well as to return to school.

3.3.9 Health

The village has a Health Post which is serviced by two nurses, three health educators: three volunteers, a cleaner and a driver. They also have one ambulance. A medical doctor comes every Friday to attend to health issues and more complicated medical cases as well as to dispense ARV drugs. The community is also referred to Mmadinare Primary Hospital for cases that are beyond the Health Post. In such cases transport is provided to the primary hospital. In the Bobonong District where Damuchojena is found, life expectancy for males is 61 years and females are 69 years. The child mortality rate is 7.7 per cent. There are approximately five traditional healers and of which three are Basarwa.

3.3.10 Access to Water Supply and Sanitation

Access to water is sometimes limited in the settlement. During site visits it was observed that some of the public standpipes in the settlement were vandalised and out of use. A water bowser brings in water daily to the village. The community complained that they still experience water shortages even with the assistance of the bowser. This results in long queues at the standpipes when the water comes.

Each ward in the village has a litter disposal area where the Ipelegeng workers collect litter within the area and place them in a designated waste area. Pit latrines are the common type of sanitation used in the settlement.

3.3.11 Marital Status

Majority of the people in the village are single, about 32 percent are married. Most marriages are inter-ethnic. This could probably be the reason why Basarwa language is not spoken by the youth. About 23 percent of those interviewed are cohabiting with their partners. The Basarwa have their traditional marriages (a groom can pay lobola for his bride using a tortoise) but these are often not registered or recognized as civil marriages.

3.3.12 Types of Vulnerability and Numbers

The type of vulnerability facing the residents are as per table below, (see **Table 4**). World Bank definition of vulnerability refers to the probability or risk of being poor today or of falling into deeper poverty in the future. According to the S&CD officer based in the settlement, there were 123 registered destitute persons, orphans, and people with disability and needy students as of September 2018. Out of these about 33 percent are Basarwa of which 93.1 percent are registered as destitute persons.

Table 4: Number of People and Vulnerability in Damuchojena Settlement

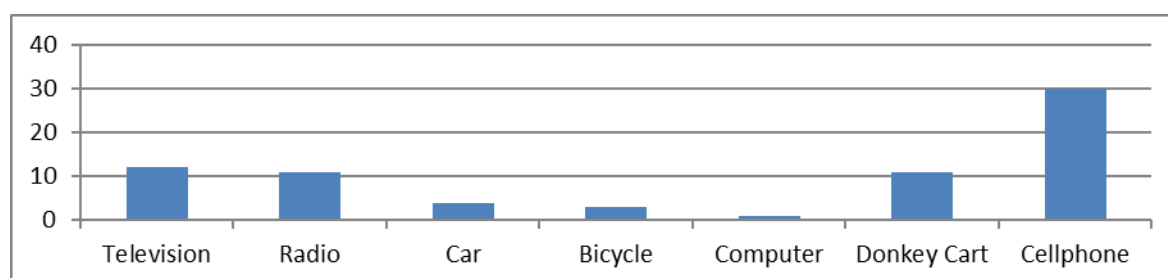
| Vulnerability Type | Females | Males | Total |
|--------------------|-----------|-----------|-----------------|
| Destitute Persons | 16 | 13 | 29 (27) |
| Disabled | 2 | 4 | 6 (1) |
| Orphans | 26 | 23 | 49 (6) |
| Needy Students | 17 | 22 | 39 (6) |
| Total | 61 | 62 | 123 (40) |

Source: Social and Community Development Officer, Damuchojena, September 2018 *Numbers in brackets represent number of Basarwa

3.3.13 Household Possessions

All the households who participated in a household survey owned cell phones. The second highest household possession was radios with 50 percent ownership. Only 1 participant out of 30 owned a computer. In the settlement, it was noted that there is good cell phone network coverage by all the three networks' providers in Botswana (Orange, Mascom and Bemobile). There are Mascom Kitso Centres (service centres) which offer secretarial services such as photocopying, printing and internet access. All Mascom services such as sim replacement, purchasing of airtime and others can be done from these service points. In the village, radios are able to reach the local radio channel frequencies.

Figure 2: Household Possessions Owned by Participants



4.0 METHODOLOGY

The preparation of this VCP involved a mixed method approach where qualitative and quantitative methods were used. This included public consultations with the communities which included Basarwa, focused group discussions with community leaders, household surveys (through randomized selection), Non-Governmental Organisations (NGO); and the Social and Community Development (S&CD) Officers of the District Councils, and review of social science literature.

Focused group discussions were held with the leadership of the community in both settlements. As part of the social assessment, four Kgotla (consultative) meetings were held with the affected settlements since 2013. Women and youth focus groups were also held and the Basarwa represented 50 percent of the attendants on average.

The village Dikgosi did not support the request for having focused group discussions exclusively with the Basarwa, citing concerns over community cohesion and singling out groups is against community practice. To maintain harmony and mitigate potential adverse impacts to the VCs by singling them out, the consultation was done with the whole community. The Vulnerable Communities themselves also agreed with such an approach. During Kgotla meetings in Gojwane, the Basarwa attendance was 37 percent on average,

while in Damuchojenaa the attendance was 46 percent. The estimated number of VCs in both communities (based on incomplete data¹³) is 37% (Gojwane) and 47% (Damuchojenaa). The validation of the VCP will be conducted using the ward structure where VCs are present.

Stakeholder Identification: Stakeholders were identified based on projects impacts on them. Those who were directly affected by the project (project affected people) were consulted for this VCP, including the VCs in the project area. The consultations took place with all members of each settlement invited to attend as per the protocols and traditions of the Kgotla. Questions were directed to the Basarwa to obtain baseline information and impacts, but it was agreed by the community that benefits and mitigation measures would be applied to all members to maintain social cohesion and inclusion. Additional stakeholders were identified such as the Social and Community Development (S&CD) Officers of the District Councils to support and supplement social data and inform them of the project, as well as representative NGOs such as the Khwedom Council and San Youth Network to also inform them of this project and supplement data for this VCP and ESIA.

5.0 FREE, PRIOR AND INFORMED CONSULTATION FRAMEWORK

In addition to prior, free, and informed consultation during the preparation, a framework for free prior and informed consultation for implementing this VCP has been designed in a consultative manner and following the guidelines for free, prior and informed consultation set forth by OP4.10. Consultations with the Vulnerable Community will be carried out through culturally appropriate processes they have identified (i.e., Kgotla meetings as noted above). Consultations will also consider the issues of gender and inclusion of vulnerable groups (elders, youth, persons with disabilities, etc.).

Broad community support was obtained in a process determined by the community. The community agreed to show their support by a show of hands, and it was determined that support was unanimous or nearly unanimous. While the community raised the possibility of receiving additional project benefits which were outside the scope of the project), the community supported the project even without the provision of these additional benefits. Benefits and mitigation measures agreed to with the community, and which will be monitored for implementation, are noted in chapter 8. Following finalization of the VCP, as agreed by the community, WUC will consult with the community to validate the VCP with the VCs on a ward-by-ward basis, in a culturally appropriate language and format. For any changes made to the VCP, the same approval and disclosure protocols as of the original VCP will be followed. Following validation, the VCP will be disclosed on WUC's website, hard and soft copies will be made available to the VDC, district WUC offices, Damuchojenaa and Gojwane Kgotla offices, and will be disclosed by the World Bank on its external website.

The household survey of the Vulnerable Communities was held from the 3rd of September 2018 to the 7th of September 2018. In each village, a minimum of 30 heads of households of the vulnerable community members were interviewed and these included

¹³ There are six major ethnic groups in the village. As the government, the Social and Community Development Officer of the settlement, and Village Development Committee (VDC) do not keep records based on ethnicity, and the community did not want to be identified along ethnic lines for social cohesion purposes, it was difficult to determine baseline data for ethnicity. However, based on observation and one on one interviews, including with the Kgosi and VDC, an approximate breakdown is as follows: Basarwa comprises the largest proportion of the total population in the settlement at 37 percent. The second highest are Bangwato at 33 percent.

women who head households. A quota sampling method was used as the first stage of sampling. In the settlement of Damuchojenaa eight (8) households were identified in each ward with a total of four wards in the community of Damuchojenaa. Whilst in the settlement of Gojwane a total of ten households were identified in each ward as the village has three wards. Thereafter, the households were selected randomly.

A focused group discussion was also held with the leadership of the community in both settlements. As part of the social assessment four Kgotla (consultative) meetings were held with the affected settlements since 2013.

In line with the requirements of the Environmental Impact Assessment Act of 2011, adverts were placed in the national papers for three weeks prior to undertaking of public meetings. The key stakeholders for the water project are the residents of the two settlements. As indicated earlier, the community of the two settlements are diverse in ethnicity. The Basarwa have assimilated into the culture of the Tswana; therefore, separating only the Basarwa for consultation was seen as divisive and discriminatory by the community and their leadership. The DiKgosi (Chiefs) of the two settlements therefore decided that meetings should be held for the whole community members rather than Basarwa only. It must be mentioned here that the Kgosi for Damuchojenaa settlement is a Mosarwa (or of Basarwa origin).

The outcome of these consultations greatly influenced the preparation of the VCP. During Kgotla meetings in Gojwane, the Basarwa attendance was 37% on average while in Damuchojenaa the Basarwa attendance was 46% on average. Women and youth focus groups were held and the Basarwa constituted about 50% on average of the people in attendance.

Following finalization of the VCP, as agreed by the community, WUC will consult with the community for plan validation on a ward-by-ward basis, in a culturally appropriate language and format. For any changes made to the VCP in validation exercise, the same approval and disclosure protocols as of the original VCP will be followed. Following validation of an agreed VCP with the community, the VCP will be disclosed on WUC's website, hard and soft copies will be made available to the VDC, district WUC offices, Damuchojenaa and Gojwane Kgotla offices, and will be disclosed by the World Bank on its external website.

5.1 CONSULTATION STRATEGY

The community agreed to a consultation strategy whereby the Project team (Project Liaison Officer and WUC safeguards team) would meet with the community (and will request the attendance of as many Basarwa as possible) at least once a month for the entire project lifecycle to answer community questions as well as updates on the project, in addition to sensitization trainings (such as GRM or GBV) as agreed to in the project ESIA/ESMP. The method of engagement will be via the Kgotla and would observe a culturally appropriate language and format. Ad hoc meetings will be called to address pressing issues as needed either by the community or by the Project team.

6.0 SUMMARY OF DISCUSSIONS WITH THE COMMUNITY REGARDING ADDITIONAL PROJECT BENEFITS

6.1 FOCUS GROUP DISCUSSIONS

6.1.1 Focus Group Discussions at Gojwane Settlement

On 5 September 2018, a focus group discussion with key informants of the village was undertaken at 14:00 hrs in Gojwane. The main aim of the focus group discussion was to find

out key details about the Indigenous People (Vulnerable Communities) and getting a better understanding of the origins of the problems affecting the village in general and with the VC in particular. This is captured and reflected in the social baseline and social assessment for Gojwane.

The focus group requested for assistance in terms of funding for the development of the following community projects:

- i. Assistance in developing a sports complex
- ii. Assistance with the communal pond for irrigation and provision of water for livestock
- iii. Construction of a library
- iv. Improvement of the preschool

6.1.2 Focus Group Discussions in Damuchojenaa Village

On the 5th of September 2018, a focus group discussion with key informants of the village was undertaken in Damuchojenaa to learn about the history of the village and understand key challenges they experience, especially among the Vulnerable Community. This was captured in the social baseline and social assessment of the village.

During the discussion, it was said that the project is likely to bring positive impacts into the village. Some of those positive impacts being employment to be created in the village during construction, and sustainable water supply during operation.

However, the project could as well bring negative effects, it was brought up that the main negative issue would be that of land in terms of conflict with farming land.

At the end of the focus group, discussion participants discussed ways in which the project can assist the village and they are as below:

- i. More educational facilities such as classrooms
- ii. Help assist in further developing the health post
- iii. Assisting orphans and destitute

The two communities were informed that the budget for the project was limited and therefore it would not be possible to provide for their proposed community projects under the scope of the project. They were however, informed that these proposed community project lists will be shared with the Project Contractor so that in the event that he wants to do a Corporate Social Responsibility project for the community, he may pick from the list, but no promises were made. Even without the inclusion of these activities in the project scope, the groups expressed their support for the project given how central improved water services are to their livelihoods.

6.2 HOUSEHOLD SURVEY

A questionnaire was distributed using a randomized sample of 30 for each settlement, to validate some of the data obtained during community consultations. A majority of the respondents interviewed in Gojwane were females (54.8 percent) while males were (45.2 percent). In Damuchojenaa (55.6 percent) of respondents were males while (44.6 percent) were females.

The average age among the participants in Gojwane was 38 years of age. Whilst the modal age group was the 55-60 age group. However, 54.8 per cent of the community members that were interviewed were females. The oldest person interviewed was 97 years old.

The average age among the community members in Damuchojena was 56 years of age. Whilst the modal age group was the 55-60 age group. (see **Figure 4**).

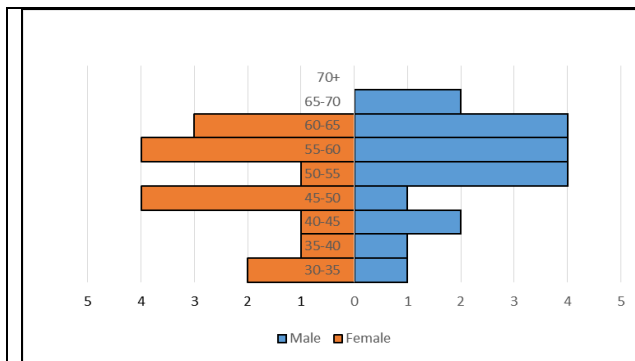


Figure 3; Age-Sex of Respondents in Gojwane Settlement
Source: Field Survey,

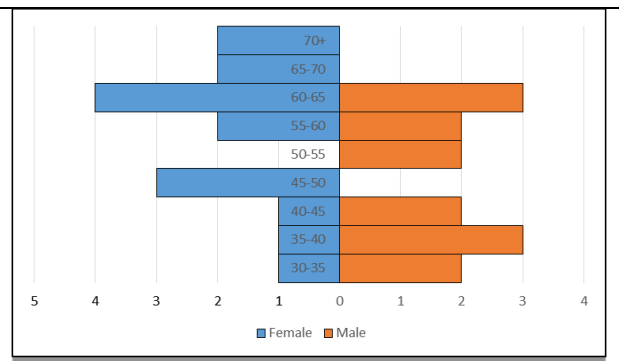


Figure 4: Damuchojena Age of Respondents

During the household interviews, community members spoke of problems and/or challenges that they are facing in their respective settlements. The common problem reported is in both settlements are water shortages and unemployment.

The community members reported that water in the village is not sufficient for them. Some public standpipes were not working at the time of the visit. A water bowser brings in water to the settlements everyday but somerimes due to some challenges at least 3 times in a week. Due to long queues and waiting times, community members sometimes conflict with others. Other resort to purchasing water or getting it from the village syndicate boreholes.

The second highest problem complained about by the residents was unemployment. Unemployment is a national problem. In Botswana, the unemployment rate measures the number of people actively looking for a job as a percentage of the labour force. The National unemployment level in 2011 was 17.7 percent. It is currently estimated at 18.10 percent.

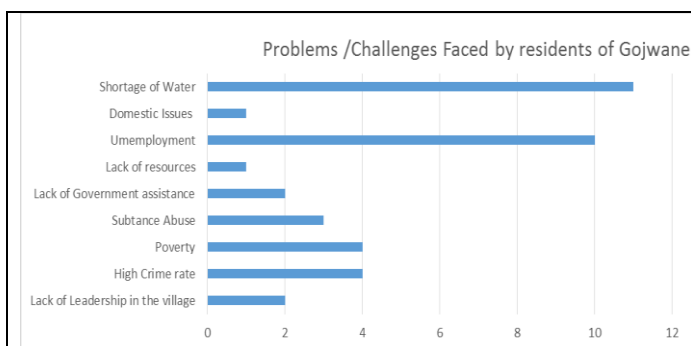


Figure 5: Problems faced by Participants in Damuchojena settlement.

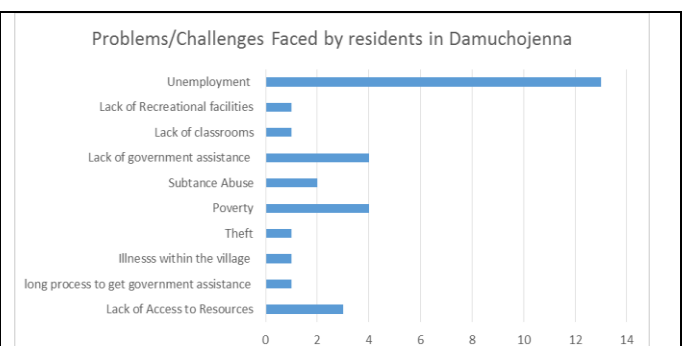


Figure 6: Problems faced by Participants in Gojwane settlement.

Figures 5 and 6 show the perceptions of the VC members in solving their identified problems/challenges while **Figures 7 and 8** show the suggested solutions to the problems/challenges. The VC members requested that people from the settlements should be given prioiity when hiring during all phases of project implementation. Another solution to the problem of fighting for water was to connect it to individual households. They also requested for the water infrastructure to be put in place to have adequate pressure.

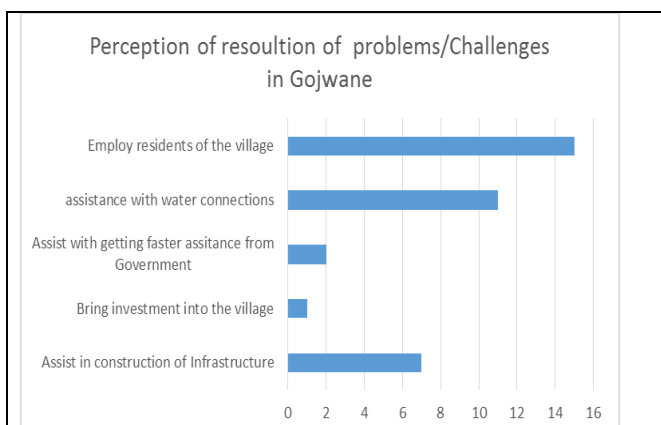


Figure 7: Suggested Solutions to Problems Faced by VC
Source: Field Survey, September 2018

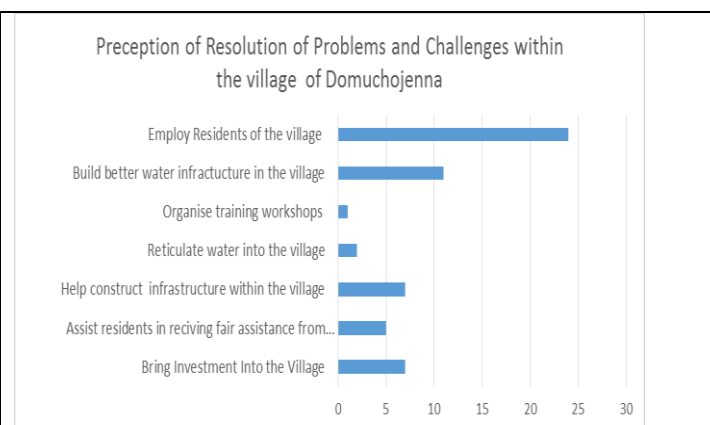


Figure 8: Suggested Solutions to Problems Faced by VC
Source: Field Survey, September 2018

6.3 PUBLIC CONSULTATIONS (*KGOTLA MEETING*)

Public consultations were undertaken in the Vulnerable Communities over the time from 2013 to date as shown in **Table 6** below.

Table 5: Meeting Dates and Venues for New Consultations

| Venue | Date | Time | Attendance | Males | Females |
|---------------------|------------------|--------|------------|-------|---------|
| Gojwane Kgotla | 20 February 2019 | 9:00am | 63 | 27 | 36 |
| | 9 August 2017 | 8:30am | 163 | 75 | 88 |
| | 11 June 2013 | 9:00am | 83 | 33 | 50 |
| Damuchojenna Kgotla | 19 February 2019 | 9:00am | 70 | 20 | 50 |
| | 10 August 2017 | 9:00am | 184 | 94 | 90 |
| | 10 June 2013 | 9:00am | 135 | 59 | 76 |

Generally, the communities welcomed the proposed water transfer scheme and suggested that unskilled labour should be sourced from their settlements.

The communities raised the following issues and concerns:

- **Employment:** Local people should be employed during construction. Hiring practices should be fair and transparent, including opportunities for women
- **Water availability:** Will there be provision of adequate water supply? Water scarcity was cited as a key concern. Currently water is bowsed from Selebi-Phikwe everyday and community members queue with their empty water containers and wait for the bowser at different bowisng points. The project will improve the quality of service provision.
- **Cultural Heritage and Sacred Sites:** All graves located near the proposed water pipeline should be avoided.
- **Resettlement/Compensation:** Expropriation of properties to be affected should be specified.

- Regular consultation and community engagement: The project should cooperate with the community and consult progressively, including as it pertains to old graves and project updates.

6.4 CONSULTATION WITH NGOS AND OTHER STAKEHOLDERS

Below presents a summary of the discussions with some stakeholders interested in the project.

6.4.1 Non-Governmental Organisations

I. Gender Links

- There is a link between poverty and Gender Based Violence (GBV). Women are often less economically empowered as compared to their male counterparts.
- This is because women tend to take home duties roles and often working jobs that are less demanding and less paying than males. Hence why the level of poverty among women is higher than that of men.
- The Country Manager indicated that during the commencement of works, when hiring workers women must be given an equal opportunity. VC community workers must be trained on gender issues, HIV/AIDS, Violence Against Children (VAC) and Sexual exploitation.

II. Tebelopele Voluntary Counselling and Testing Centre Phikwe (TVCT)

- In the last seven months the organisation has not conducted HIV/AIDS testing in Gojwane or Damuchojenaa as they have been focusing on Selebi-Phikwe town as it is among the areas that have the highest number of new infections.
- There is still a negative approach to HIV/AIDS testing. The organisation is trying to disseminate information to the public on the issues.
- The Supervisor encouraged the Contractor should ensure that during project works, workers and community members should be given the opportunity to access HIV/AIDs information, care, and support programmes in the village.

III. Permaculture Botswana

- The Coordinator mentioned that Permaculture Botswana works with Village Development Committee, home-based care, and S&CD officers to select people within their committees that would need their assistance on agricultural development.
- Recipients of the backyard gardens are allowed to sell excess produce for subsistence. Permaculture Botswana does not have any projects in Gojwane or Damuchojenaa.
- The coordinator also mentioned that with assistance and funding they would be eager to start working within these settlements to establish backyard gardens to potentially alleviate poverty.

IV. San Youth Network (SYNet)

- The Director of San Youth Network indicated that the organisation has not worked with the San people in the project areas. However, they are aware that there are some San people living in the central district.
- GBV impacts women of different ethnicities. The San women are victims of GBV as all women, mainly because they are considered lesser, or minority and they are often afraid of reporting the matter to the authorities.

- Quite often, in cross-ethnic marriage, it is San women who suffer the most. He further stated that there is a need to disseminate information on gender equality and fair treatment of San women.
- The Director mentioned that the San language (Sesarwa) in the Ghanzi area is very rich, and a lot of the San still speak it. However, the San in the central and southern districts have lost their language mainly due to intermarriage and modernisation including in Gojwane and Damuchojena.
- Some of the youths are ashamed of speaking their language due to the stigmatization of the San as they have been told that their language is backward.
- The project should employ San youth where possible.
- The San people do not have the resources to develop arable lands given by the Land Boards in the time frame given. Consequently, the land is repossessed depriving them of rights to the land.

V. *Gender Innovation and Development (GIDA)*

- In rural areas gender-based violence is a major issue because women do not have jobs and therefore not a source of income. They therefore are reliant on their male partners; this in turn makes men feel as though they own the women.
- They have done some works in Moreomabele which is one of the beneficiary settlements.
- GIDA supports that woman must be given preference during employment of workers as there is a strong need to ensure women are employed in order to give them economic freedom.
- There is also a need to educate members of village on issues of gender-based violence as well as sexual exploitation and abuse of women.

VI. *Botswana Khwedom Council (BKC)*

- The head of the BKC said the name 'Basarwa' is demeaning, and they should be called Bakhwe (Mokhwe in Singular).¹⁴
- It was agreed that project documents would be shared with the Khwedom Council during disclosure, and they would be able to give feedback on the document.
- Ensure that the Bakhwe people are the main priority during all stages of the project.

6.4.2 Ministry of Youth Empowerment Sports and Culture Development.

- Stated that the project can assist the Vulnerable Community by educating them on money issues and the importance of reinvesting money back into their social clubs and sports teams. The Ministry said that in most cases where teams win money, they tend to misuse the money instead of reinvesting the money to better their teams/clubs and craft.
- The rural areas, amongst them the Vulnerable Community there is a reluctance among the youth to apply for youth funding. It was further explained that this could be one way in which the project could assist the youth in the Vulnerable Community in motivating them to apply for these programmes
- It was also stated that another reason for the reluctance among the youth could be the fact that in order to apply for this program a written business proposal is needed. Given low capacity of the youth in rural areas, many are discouraged from applying for the funding.

¹⁴ Community consultations revealed in both settlements, the Vulnerable Community preferred the term Basarwa so this term will be used here.

- The project can engage with personnel such as Local Enterprise Authorities (LEA)¹⁵ who can assist the vulnerable community members in writing business proposals in which they would be able to submit and be considered for the funding.

7.0 ACTION PLAN FOR ENSURING SOCIO-ECONOMIC BENEFITS

It is important for this project that the Basarwa receives proper community and economic benefits that are socially acceptable for them. This will also create a sense of ownership for the project. A plan of action has been suggested to achieve that as well as a recommended institutional arrangement. Several strategies have been identified for key areas such as

- Employment opportunities during project implementation
- Boosting of local economy
- Creation of sustainable rural livelihoods for improved household incomes
- Creating capacity for household water connection
- Protection of societal norms and values to protect the culture of the Basarwa, through mitigation of the potential negative impacts

The strategies suggested included ensuring that Basarwa receive equal opportunities in recruitment, awareness creation and skills development through training workshops and campaigns, for both men and women, and persons with disabilities. Institutional arrangements for delivery of those strategies have been suggested also. (See detailed interventions with costs in **Table 8**.)

8.0 BENEFITS, ADVERSE IMPACTS AND MITIGATION MEASURES

8.1 POTENTIAL BENEFITS OF THE WATER TRANSFER SCHEME

1. Improved access to potable water. All members of the community will equally have access to water and improved water services on a daily basis including Vulnerable Communities
2. Improved livelihood of the beneficiaries
3. Improved hygiene of beneficiaries
4. Temporary employment creation through project
5. Opportunity to boost local economy by supplying locally available materials and services
6. Opportunity for skill development such as construction and plumbing
7. Opportunity for education on HIV/AIDS, GBV, SEA, SH and VAC.
8. Involvement of Vulnerable Community in planning, implementation, and monitoring of the VCP.

8.2 POTENTIAL ADVERSE IMPACTS OF THE WATER TRANSFER SCHEME

1. High rates of alcoholism of the youth in the communities that could cause/exacerbate because of the project.
2. Unequal access to jobs to men and women depending on skills needs
3. Too much demand for workers and not enough jobs. Selection of people particularly the unskilled will be a challenge

¹⁵ LEA – Local Enterprise Authority is a government owned institution responsible for empowering entrepreneurs on their business ventures to facilitate their growth.

4. Influx of people might result in dissolution of marriages, teenage pregnancies, increased conflict theft, transmission of HIV/AIDs and other communicable diseases, gender-based violence
5. Creation of open trenches which might cause both human and livestock accidents resulting in injuries or fatalities, restriction on usage of footpaths and roads and adverse impacts on livelihoods.
6. Human remains might be exposed during trenching between Gojwane and Serule settlements.
7. Increased pressure on existing Social and Health Facilities

8.3 PROPOSED SOLUTIONS/ MITIGATION MEASURES

The proposed mitigation measures as recommended by the community through the various fora are presented in **Table 6** and a summary presented below:

1. Provide employment for Vulnerable Community members in the project
2. Repair and provide more public standpipes
3. Provide plot connections of pipes.
4. A Community Liaison Officer (from Basarwa) should be employed from the settlements.
5. Ensure women have equal opportunity when employing workers
6. Institute Chance Find procedures and initiate a consultation to address discovery of sacred burial sites

9.0 FINANCIAL PLAN

The table below presents a summary of cost the associated with the implementation of this VCP. Details are shown in **Table 6** below:

Table 6: Summary of Cost of Implementation

| No | Activity | Time Frame | Budget (Pula) | | Responsibility |
|----|----------------------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------|--------------------|----------------------------------------------------------------------------------------------------------------|
| 1. | Capacity Building | | | | |
| | Capacity building of the Vulnerable Community involved in monitoring the implementation of the VCP | Within first 3 months of project implementation | Part of the ESMP costing | | WUC Earthtec |
| | Capacity building of VCs on GBV, VAC, Teenage Pregnancy, HIV/AIDs and Alcohol and Substance abuse | Throughout the project | Part of the ESMP costing | | WUC Department of Gender Affairs Ministry of Youth, Sport and Culture Department of Social Protection |
| | Capacity building of VCs on GRM | Throughout the project | Part of the ESMP costing | | WUC Earthtec CLO PLO |
| 2. | VCP Implementation, Monitoring, Evaluation and Reporting | | | | |
| | | | Gojwane | Damuchojena | |
| | Regular monitoring of | Entire project period, of | P240,000.00 | P240,000.00 | WUC |

| No | Activity | Time Frame | Budget (Pula) | | Responsibility |
|----|-------------------------------------------|-------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|----------------|
| | Project site and VCP activities | 18 months and defect liability of 12 months – monthly | | | Earthtec |
| | VCP implementation of mitigation measures | Before and during construction | P1,580,000.00 | P1,537,500.00 | Contractor |
| | VCP implementation of mitigation measures | During operations and maintenance annually | Part of Operational Cost | | WUC |
| | TOTAL | | P1,820,000.00 (US\$182,000.00) | P1,777,500.00 (US\$177,750.00) | |

10. GRIEVANCE REDRESS MECHANISM (GRM)

10.1 INTRODUCTION

A Grievance Redress Mechanism is necessary for addressing the concerns of Project Affected People and other stakeholders. It is anticipated that some of these concerns may include eligibility criteria, compensation entitlements for loss of livelihood and use of land.

The mechanism for grievance redress includes:

- Provision for the establishment of a Grievance Redress Committee (see GRC members below)
- Multiple grievance uptake locations and multiple channels for receiving grievances
- Fixed service standards for grievance resolution, include adjudication process and process of handling situations related to gender-based violence/sexual exploitation and abuse
- Prompt and clear processing guidelines (including reviewing procedures and monitoring system)
- A time frame for responding to grievances
- A reliable and effective reporting and recording system
- Procedure for assessing the grievance
- Grievance escalation process

The grievance redress mechanism is designed with the objective of solving disputes at the earliest possible time before they escalate. In addition, World Bank OP4.12 emphasizes that the PAPs should be heard and as such, they must have access to a fair, transparent and accessible means to address their concerns and views related to the project. Furthermore, the mechanism should be effective in addressing projects at project-level so that grievances are not referred through the court system for resolution, especially since the court system may not be financially accessible to all and may add cost and time burdens.

General Principles and Key Aspects of the GRM

The Project has put in place an extra-judicial mechanism for the management of grievances and disputes. The VCs will be able to trigger this mechanism, while still being able to resort to the judicial system.

Key aspects of the grievance redress mechanism are:

- The community including VCs need to be informed about the grievance redress mechanism and how they can make use of this process.
- Grievances will be recorded using a Grievance Form (in local language, also available in English). Grievance Forms will contain details regarding the grievance as well as the name and address of the applicant, application date, type of application and the name of the persons receiving the grievance. The forms will be logged in a register where they will be tracked through to a suitable resolution.
- Complainant will receive notification that their grievance has been received (if complainant is known) in writing.
- Grievance monitoring log (which includes actions taken, corrective measures, see **Annex B**).
- Closure sheet copy of which will be handed to the complainant after he/she has agreed to the resolution and signed off.
- The PIU will maintain a digital grievance database, containing the logs and records of all grievances received, with an indication of the respective status of a grievance (i.e., resolved, not resolved, pending, etc.), in addition to a hard copy.
- Resolution options will be developed through unilateral proposal, bilateral discussion and/or third-party mediation. If a complaint is not legitimate the case will be closed without agreement with the complainant. Any response will be communicated clearly either orally or in writing, and a grievance case will only be closed when an agreement with the complainant is reached.
- Community members including VCs will have access to third party legal advice, through referral to Botswana Legal Aid, at no cost. Information on access to legal advice will be communicated to the affected people

8.2 MANAGEMENT FUNCTIONS AND RESPONSIBILITIES

During the implementation phase of the Project, the mechanism for grievance redress shall include:

- Provision for the establishment of a grievance redresses committee with a sitting allowance budgeted for the Grievance Redress Committee (GRC) members.
- Multiple grievance uptake locations and multiple channels for receiving grievances (project hotline, project website, Facebook page, WhatsApp blasts, WUC PIU office, Kgosi and VDC, grievance box at the Kgotla).
- Fixed service standards for grievance resolution which include adjudication process.
- Prompt and clear processing guidelines: including reviewing procedures and monitoring system (see flow chart)
- A time frame for responding to grievances (see flow chart on GRM chapter)
- A reliable and effective reporting and recording system (grievance register, complaints logbook – hard copy)
- Procedure for assessing and responding to the grievance

8.3 RESPONSIBILITIES FOR IMPLEMENTING STAKEHOLDER ENGAGEMENT ACTIVITIES

8.3.1 Roles and Responsibilities

The WUC PIU in consultation with the respective community will appoint Community Liaison Officers (CLOs) in project area villages/settlements where there are project works, to conduct stakeholder outreach during project implementation and respond to any grievances or complaints that may arise. The CLOs will act as key points of contact to bring project grievances from PAPs, stakeholders, construction workers, residents, and community members to the Grievance Redress Committee (GRC). They will liaise with the WUC

Safeguards Team to inform them of all complaints and outcomes. The CLO will contact the PIU Safeguards Team in case a complaint is not resolved within two weeks after receiving the alert. The PIU safeguards team will go to the field in order to obtain further information and resubmit the case to the GRC. The complainant will be notified that further information is being collected and kept informed about the status.

a. Community Liaison Officers (CLOs)

The WUC PIU will in consultation with respective communities appoint Community Liaison Officers (CLO) in the specific sub-project areas. The Community Liaison Officers (CLOs) will be situated in the project area villages/settlements where there are project works, will be designated to receive, review, record and address project related complaints. Every two weeks, CLO will consolidate complaints and submit to the GRC. Their contact information will be published and communicated via public announcements and information sharing about the project, (radio, television and newspapers, community meetings, etc.), to conduct stakeholder outreach during project implementation and respond to any grievances or complaints that may arise.

Key Functions:

- The Community Liaison Officer will create awareness on the existence of the project and Grievance Redress Mechanism
- The CLO will act as the key point of contact to bring project grievances from project affected people, construction workers, local residents, and community members to the GRC.
- Register the grievance/complaints on the Grievance Logbook and acknowledge receipt within 5 days.
- Respond back to the beneficiary's queries/complaints lodged, giving their status and/or their outcome if they had been resolved.
- Ensure that all queries/complaints from beneficiaries have been formally recorded following the existing procedures.
- Review and evaluate grievances/complaints and ensure that complainant is given feedback within 14 days
- Conduct community consultations to provide inputs into the GRM
- Facilitate communication which in the form of reports WUC PIU and Project Contractor and distribution of information, education and communication material to the community including VCs.
- Represent the project during Kgotla meetings
- Represent the interests of vulnerable individuals and groups following consultations with them to better understand their concerns and issues, and keep notes and records of such meetings
- The CLOs will be responsible for making sure the recommendations of the GRC are implemented and advising WUC PIU during ESMP and RAP implementation, as well as contractors to make any appropriate adjustments to their works.
- Work closely with the WUC Principal Sociologist and Environmental Officer and flag any issues of concern as well as report incidents as they occur
- If a concern of a highly sensitive nature is raised such as gender-based violence (GBA) or Sexual Harassment Exploitation and Abuse (SHEA), VACs, the CLO shall invoke the special procedures related to GBV/SHEA/VACs and will ensure the anonymity and confidentiality of the survivor. See **Annex 10** for special procedures.

In addition to the CLO, the project will make available grievance forms in every settlement (at the Kgotla office) as an accessible venue for filing a grievance and a Grievance Box. In

collaboration with the communication and IT team for the project, the WUC telephone hotline and website will be also available to receive complaints anonymously or they can identify themselves. Every two weeks, the CLOs will collect forms filled out to submit them to the GRC and record them in the grievance logbook.

The WUC PIU Safeguards Team will work closely with the WUC communication and IT Team, who will oversee compiling complaints received on social media, website and WUC hotline. A meeting will be held at least one time per month to review complaints and submit them to the GRC. For illiterate persons, CLOs will assist them to write and submit complaints. To be sure that the adequate confidentiality will be kept, the Project will issue a code of conduct to be signed by the VDC and community liaison officers.

b. The Grievances Redress Committee (GRC)

The GRC be responsible for receiving and resolving in a fair, objective, accountable, effectively, timely and accountable manner. All concerns or complaints raised by project affected persons (PAPs) in the communities during all phases of the project lifecycle.

c. COMPOSITION AND MEMBERSHIP OF THE GRIEVANCE RESOLUTION COMMITTEE (GRC)

The GRC will meet as and when required, preferably once per month.

When complaints arise, they will be submitted to the Project Grievance Redress Committee.

The committee will be created with clear terms of reference, and the guiding principles to be followed by the GRC during their conducting of business include among others: Confidentiality, Transparency and Accountability. In addition, specific Grievance Redress Mechanism for conflict prevention and resolution at the project level will be devised in consultation with the affected communities.

The GRC, shall maintain all records from complaint to final decisions made by the GRC for future reference, with an accurate and up to date grievance logbook (the PLO is to ensure the logbook is accurate and ensure they have a copy of updates to the logbook). The GRC shall also ensure that public participation and consultation is always a part of the process to promote understanding, transparency, trust in the project, accountability and mitigate against unnecessary complaints and disputes. The Chairmanship of the GRC will rotate amongst the Committee Members depending on the issues to be considered by the Committee.

The GRC Members include:

- Project Contractor
- Land Board Representative
- Water Utilities Corporation Representative
- Two Local Representatives (One man and one woman. In Vulnerable Communities, at least one representative of VC)
- Project Liaison Officer 1 (Safeguards Social Development Consultant)
- Environmental Officer 2 (Safeguards Social Development Consultant)
- Community Liaison Officer (Secretary)
- NGO representing Basarwa (e.g., Khwedom Council, San Youth Network)

The WUC PIU Safeguards Team Members will attend meetings when there is a matter that requires their urgent attention.

The broad responsibilities of the GRC include:

- Publicizing the grievance management procedures
- Receiving, reviewing, investigating, and keeping track of grievances referred to them by the CLO
- Adjudicating grievances
- Monitoring and evaluating the fulfilment of agreements achieved through the grievance redress mechanism.

d. **Project Liaison Officers (PLOs)**

The Project Liaison Officers (PLOs) - the environmental and social safeguard monitoring consultants for the project will be tasked. Their contact information will be published and communicated via public announcements and information sharing about the project, (radio, television and newspapers, community meetings, etc.), to conduct stakeholder outreach during project implementation and respond to any grievances or complaints that may arise.

Key functions:

- Attend to households' issues regarding the reconstruction works and facilitate the liaison between the beneficiary(households), local communities (community buildings) and the project team.
- Ensure prompt communication of concerns and issues about the project to the project team (not the Contractors).
- Assist the project communication team with all communication matters and to provide feedback on the effectiveness of the messages and means of communication used.
- Assist project team to arrange meetings and location of meeting for any consultation with the community.
- Monitor the implementation of the ESMP and report progress at Onsite Project Progress meetings.

e. **The Contractor**

During the implementation, Contractors shall work in line with the World Bank standards on Environmental, Social, Health and Safety (ESHS) and Occupational Health and Safety (OHS) in the workplace and on their relationship with affected communities. The application of these Codes of Conduct will help ensure the project meets its ESHS and OHS objectives, as well as preventing and/or mitigating the risks of GBV, SEA, SH and VAC on the project and in the local communities. Contractors should make sure these Codes of Conduct are adopted by those working on the project and are meant to:

- Create awareness of the ESHS and OHS expectations on the project
- Create common awareness about GBV, SEA, SH and VAC and ensure a shared understanding that they have no place in the project
- Create a clear system for identifying, responding to, and sanctioning GBV, SEA, SH and VAC incidents

Three codes of conduct must be adhered to in this project (full codes are in **Annex C, including GBV, SHEA and VAC Action Plan**):

- Company Code of Conduct:** Commits the company to addressing GBV, SEA, SH and VAC issues.
- Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,

- iii. **Individual Code of Conduct:** Code of Conduct for everyone working on the project, including managers.

These codes of conduct will be explained and displayed in the work sites, workers and affected communities will be sensitized prior to works start. The company liaison officer will work closely with WUC PIU safeguards team to bring to the GRC all complaints and special cases which affect the Codes of conduct.

For issues regarding GBV, SEA, SH and VAC, the Response Protocol which is the mechanisms set in place to respond to cases of GBV, SEA, SH and VAC will be implemented. By doing that, the Contractor will first establish a **'GBV, SEA, SH and VAC Compliance Team' (GCCT)**.

The GCCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

1. A safeguards specialist from the WUC.
2. The occupational health and safety manager from the Contractor (or someone else tasked with the responsibility for addressing GBV, SEA, SH and VAC on the Contractors side) with the time and seniority to devote to the position.
3. The Project Liaison Officer (also known as the supervision consultant); and,
4. A Social Worker with experience in Sexual Harassment, Exploitation and Abuse (SHEA), including Gender - Based Violence (GBV) and Violence Against Children (VACs) GBV, SEA, SH and VAC (the 'Service Provider').

10.4. COMMUNITY LEVEL GRIEVANCE REDRESS MECHANISM

Local communities have existing traditional and cultural grievance redress mechanisms. It is expected that some disputes at the community level may be resolved using these mechanisms, without the involvement of the Project, Contractor(s), and or Government representatives at local and national level should. The extended family, settlement and/or Kgosi may be involved at this level. This may be more suitable for issues and concerns that are minor. For example, if the Contractor needs to recruit housekeepers or other human resource needs, he or she can choose among the resumes collected by the community. The community and Contractor will be informed that the principle of non-discrimination and fairness as per the Botswanan Labor Law will apply in the selection. Also, if the company wants to compensate the community for using their sand, gravel or because of the impact of its activity (dust dispersion), those grievances can be solved at the community level, without the GRC, if the community so chooses.

10.5. PROJECT LEVEL GRIEVANCE REDRESS MECHANISM

Many projects related grievances during the works are minor and site-specific. Often, they revolve around nuisances generated during construction such as noise, dust, vibration, workers disputes, etc. They can be resolved easily on site. However, regarding disputes that include differences between households over land, or boundaries, even on issues triggered indirectly by the Project during its lifecycle, the GRM will have a body, the GRC to address disputes.

Other issues that are potential grievances may involve access to property arrangements, or sexual harassment, exploitation and abuse (SHEA), including Gender - Based Violence (GBV) and Violence Against Children (VACs) of workers Contractors and/or community members during construction phase. Most of these cannot be resolved immediately and on site and in the case of GBV, require specific interventions and processes to protect the safety, well-being and identity of survivors.

10.6 GRM PROCEDURES

The community will be informed and sensitized about the use of an existence of the GRM (through radio notices, TV, community meetings, community signage, Kgotla, CLOs, PLOs) of the various uptake options where complaints can be submitted. The WUC PIU Safeguards Team will meet every two weeks with the communication and IT team to review all complaints from social media, websites and hotline and inform the complainants within three days those complaints have been received and the procedures they must follow.

The WUC PIU Safeguards Team will then organize a meeting for the GRC to meet at the soonest to ensure compliance with the timeline for responses to complainants.

If the identity of the person who submitted a grievance is known, the GRC must inform them within three days of the decision or when a decision is to be expected. The date of this outreach is to also be logged into the grievance log. The GRM will commit decisions to be finalized within two weeks of date of receipt and complainants will be notified and will record the complainant's comments about decision. If the complainant is not satisfied, they will be notified about escalation procedures.

Notices and signage will be erected at all sites providing the public information on the Project and summarising the GRM process, including contact details of the relevant Community Liaison Officer. All complainants should be free to lodge a complaint in one or as many of the uptake stations noted above.

A Complaints Register (or Grievance Log) will be at the WUC PIU Safeguards Office and village/settlement Kgotla office with CLOs, but also with Contractors, who will log the: i) details and nature of the complaint (include categorization of sensitive/urgent, non-sensitive); ii) the complainant name and their contact details if known; iii) date the complaint was received; iv) corrective actions taken in response to the complaint; v) the date the response was made available to the community and the complainant; vi) the resolution; vii) the response of the complainant if response was acceptable to them or not; viii) the name of the person who received the complaint and location/method the complaint was lodged. This information will be included in WUC Safeguards Team progress reports to the World Bank. (See **Annex B**) for example of grievance log). The CLOs are responsible for ensuring that they collect all grievances so that they can update the PIU logbook and their logbook.

10.7 THE GRIEVANCE REDRESS STRUCTURE

The structure or steps of the grievance mechanism includes:

- Multiple and accessible uptake stations to receive complaints (text, phone number, project website, mailing address, grievance box, others, communication to CLO, VDC, Kgotla, Kgosi) and account for vulnerable or disadvantaged individuals (persons with disabilities, elderly, illiterate, lack access to phone/computer, etc)
- Receive, register and acknowledge complaint in logbook
- Screen and establish the foundation of the grievance
- Implement and monitor decision
- Notify complainant of outcome and obtain feedback on acceptability
- If grievance is not escalated, conclusion to redress grievance and note in logbook
- Advise for a judicial proceedings as last resort if necessary
- Document the experience for future reference
- Notify the community (community boards, on project website, CLO, community meetings) about various complaints and outcomes without naming names)

A step-by-step process, with duration of each stage from the reception of the complaint to the notification of the resolution, with suggested timeframe and responsibilities is indicated in **Table 14**.

10.8 GRIEVANCE REDRESS PROCESS

The steps of the grievance mechanism consist of:

- The Aggrieved Party (AP) will take his/her grievance to the CLO who will endeavour to resolve it immediately.
- Where AP is not satisfied, the CLO will refer the grievance to the GRC.
- Receive, register and acknowledge complaint.
- Screen and establish the foundation of the grievance.
- Implement and monitor redress action.
- Notify the complainant of the result and obtain a response if the resolution is satisfactory. If not, inform the complainant of escalation process.
- Advise for judicial proceedings as last resort if necessary
- Document the experience for future reference.

Where the traditional and administrative procedures fail to resolve disputes, the aggrieved party has the right to take the matter to the courts in accordance with the Constitution of Botswana, other national laws, and the Lenders' policies.

The process is highlighted in **Table 14** with suggested timeframe and responsibilities.

Table 14: GRIEVANCE REDRESS MECHANISM PROCESS

| Step | Process | Description/Required Action | Completion Timeframe | Responsible Agency/Person |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 1. | Receipt of Complaint | Document date of receipt, name of complainant, nature of complaint | 1 day | CLO (Community Liaison Officer) |
| 2. | Acknowledgement of Grievance | By letter, email, phone | 1-5 days | CLO |
| 3. | Screen and establish the foundation / merit of the grievance | Visit the site; listen to the complainant/community; assess the merit | 7-14 days | GRC members including the Community Liaison Officer, complainant and his/her representative |
| 4. | Implement and Monitor a Redress Action | Where complaint is justified, identify and carry out the redress | 21-30 days or at a time specified in writing to the complainant | Community Liaison Officers, WUC Social and Environmental Safeguard Specialists to coordinate the implementation of redress action |
| 5. | Inform Complainant and Community (use of community boards, newspaper, radio, what's app group, Facebook page) to inform community of grievance outcome | Where complainant is not satisfied, inform complainant of escalation process. If satisfied or not, ensure grievance logbook is updated. | 1-2 days after making a decision on a grievance by the GRC | CLO |

| | | | | | |
|----|---------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------|--|
| | and solicit response from complainant if claim has been fully addressed or not. | | | | |
| 6. | Extra intervention for a dissatisfied scenario | Review the redress steps and conclusions, provide intervention solution | 2-4 weeks of receiving status report | MLMWSPLO, Social and Environmental Officers, and GRC to review and react | |
| 7. | Judicial Adjudication | Complainant has the option to take complaint to court of law | No fixed time | Complainant | |
| 8. | Funding of Grievance Process | WUC logistics and training, redress compensation, court process | No fixed time | WUC | |

10.9 ESCALATION OF GRIEVANCES

If the complaint is not resolved to the satisfaction of the aggrieved party by the Grievance Redress Committee, it will then be referred by the WUC PIU Project Coordinator or to the Project Steering Committee (PSC).

The Project Steering Committee (PSC) will be composed of:

- Project Contractor
- Land Board Representative
- Water Utilities Corporation Representative
- Two Local Representatives (One man and one woman. In Vulnerable Communities, at least one representative of VC)
- Project Liaison Officer 1 (Safeguards Social Development Consultant)
- Environmental Officer 2 (Safeguards Environmental Consultant)
- Community Liaison Officer (Secretary)
- NGO representing Basarwa (e.g., Khwedom Council, San Youth Network)

The NSC will meet when required to address escalated grievances and will be required to address the concern within 30 days. Should measures taken by the National Steering Committee fail to satisfy the complainant, the aggrieved party is free to take his/her grievance to the Botswana judicial courts.

10.10 JUDICIARY LEVEL GRIEVANCE REDRESS MECHANISM

The project level GRM process will not impede affected persons access to the legal system. At any time, the complainant may take the matter to the appropriate legal or judicial authority as per the laws of Botswana. However, the quality and effectiveness of the judicial system should be assessed, as well as issues related to accessibility and affordability.

10.11 FOR SENSITIVE ISSUES REGARDING GENDER BASED VIOLENCE, SEXUAL HARASSMENT OR VIOLENCE AGAINST CHILDREN

An exceptional or ad hoc meeting will be called the day after receiving this information. The Grievance Redress Committee, the National Steering Committee, the Contractor, and local authorities of the locality where this issue occurs will all meet as a plenary. At all times, the approach for such issues **will follow a survivor - centered approach and the anonymity**

of the survivor will remain intact. In addition, the survivor will have been informed of options such as receiving psycho-social support, medical assistance and other services as required.

For those issues, the mechanisms set in place to respond to cases of GBV, SEA, SH and VAC will be implemented. By doing so, the Contractor will first establish a 'GBV, SEA, SH and VAC Compliance Team' (GCCT). The GCCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

- a. The Community Liaison Officer
- b. The Occupational health and safety manager from the Contractor, or someone else tasked with the responsibility for addressing GBV, SEA, SH and VAC with the time and seniority to devote to the position
- c. The Supervision Consultant (PLO)
- d. The Social Worker
- e. The Police Officer

The Potential Procedures for Addressing GBV, SHEA and VAC are in **Annex C**.

10.12 CAPACITY OF LOCAL INSTITUTIONS TO ADDRESS GRIEVANCES AND DISPUTES

- *Village Settlement Development Committee:* The settlement parliament has the responsibility to monitor developmental projects in their settlement. The interest of the community is their priority as per their mandate.
- *Kgosi:* The settlement tribal leader and is also an ex-officio member of the Settlement Development Committee and is a key figure in mediating among community members.
- *Project Resident Engineer:* As the head of the project, the engineer is responsible for ensuring that it is implemented smoothly.
- *Supervising Project Engineer:* Ensures that The Project Resident Engineer and ESIA Consultants are implementing the project as per their approved documents.
- *Project Liaison Officer (social and environmental safeguards monitor):* Has a responsibility to ensure that all the ESIA/ESMP mitigation measures and plans are implemented accordingly.
- *Community Liaison Officer:* Liaises between the Project Officials/ Grievance Redress Committee and the Community. *Reports all grievances to the GRC.*
- *Grievance Redress Committee:* Has a responsibility to ensure that all grievances are addressed timely and properly recorded.
- *Water Utilities Corporation:* Has a responsibility to ensure that the objectives of the project are delivered as promised

10.13 GOOD COMMUNICATION AND INFORMATION SHARING

- Vulnerable and marginalized groups and individuals can report to the CLO who will be based at the settlement Kgotla.
- Can report by phone to Community Liaison Officer/Resident Engineer.
- Can send a text to the CLO/Resident Engineer
- There will be accessible grievance/complaints boxes in community areas which will be checked daily. For those who cannot write, the CLO will facilitate submission of a grievance and will be guided by an ethical code of conduct to respect the privacy of the complainant
- There will also be a project email and website to enable users to submit their grievances anonymously.
- A WhatsApp group (or equivalent) will also be created for the community members who want to be informed on updates of the project.

- All complaints must be acknowledged for receipt regardless of if they are anonymous. Community boards and the project website will list complaints that were submitted (without names) and will include expected date of response. Once the response is determined, the response with the original complaint will also be posted on the community boards and on the project website.
- There will be a specific person or persons who will be tasked to oversee the grievance process to ensure that all grievances are logged correctly and the GRC is notified.
- There will be specific training for the GRC and the CLO to ensure quality control of the GRM process.

10.14 MONITORING

Annex B shows the grievance log that will be used to monitor and track the GRM, and which will be reviewed regularly for accuracy and compliance to the GRM process. The logbook and at times, correspondence between the Contractor and PLOs in addressing grievances will also be reviewed by World Bank safeguards specialists undertaking project supervision.

10.15 ESTIMATED COST OF GRM IMPLEMENTATION

The detailed cost of implementing the GRM is presented below in.

| No. | Activity | Time Frame | Budget (Pula)/USD | Responsibility |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------------------------------------------------------------------------------------------|----------------|
| GRM Implementation and Monitoring | | | | |
| | Allowances for GRC Members | Throughout the project | (P500.00 per sitting) x Members x Once month x 30 months x 9 P135,000.00 (USD13,500.00) | WUC |
| | Monthly Stipends for Community Liaison Officers | Throughout the project | (P600.00 per month) x 6 settlements x 30 months P108,000.00 (USD10,800.00) | WUC |
| | GRM Publicity Material and Stationery | Throughout the project | P200,000.00 (USD 20,000.00) | WUC |
| | Capacity Building for All Stakeholders on GRM, including GBV related processes | Throughout the Project | P200,000.00 (USD 20,000.00) | Contractor |
| | Funding for GBV mapping of services and inclusion of GBV/VAC compliance team and modification of GRM for GBV, SEA, SH and VAC | Throughout the project | P200,000.00 (USD 20,000.00) | WUC |

| | | | |
|------------------------|--|------------------------------------------------|--|
| reporting | | | |
| Sub Total | | P 843,000.00 | |
| 15 percent contingency | | P 126,450.00 | |
| TOTAL | | P 969,450.00 (US\$ 96,945.00) | |

11.0 MITIGATION PLAN FOR PROJECT RISKS IN DAMUCHOJENAA AND GOJWANE

The social assessment identified risks of the proposed project to the Vulnerable Communities in Damuchojenaa and Gojwane settlements. These risks were analysed to establish their impact level and details for example, severity and significance in the ESIA. The results were used to draw a mitigation plan that indicates the estimation cost of the mitigation activities and the responsible persons/institution for each activity in **Table 8** below. Financing for the costs highlighted in the Plan has already been provisioned through the ESMP.

Table 8: PLAN AND COST ESTIMATES FOR GOJWANE AND DAMUCHOJENAA VULNERABLE COMMUNITIES

| No | Impact to be Mitigated/ enhanced Issue to be addressed | Management Objectives | Mitigation Measures/Action | Time Period | Responsibility for Implementing Mitigation Measures | Estimated Cost (BWP) | |
|----|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------|
| | | | | | | Damuchojena | Gojwane |
| 1. | Involvement of Vulnerable Community in planning and Implementation of the project | For the community to be part of the planning and implementation of the project to protect their interest | <ul style="list-style-type: none"> Selection/ Choosing of a member of community to be a representative on the Grievance Resolution Committee | Before civil works begin at sections within their community. | <ul style="list-style-type: none"> Project Implementation Unit | P100,000.00 | P100,000.00 |
| 2. | Increase in revenue in the beneficiary village | Where goods can be sourced from local business priority should be given to local business | <ul style="list-style-type: none"> Provision should be made for tabletop small-scale food and other vendors to sell their items to workers. Such should include sheds, provision of water and waste bin collectors. Community members should be trained in small businesses. Where housing is to be sourced for some staff, the contractor should source from within the vulnerable settlements | Throughout the Project period | <ul style="list-style-type: none"> Contractor | P200,000.00 | P200,000.00 |
| 3. | Adequate access to water | To avoid conflict of use of public standpipes. To avoid wastage of water | <ul style="list-style-type: none"> 5 in Damuchojena and 4 in Gojwane Conduct repairs on the already existing and broken down pipes standpipes Educate children at schools on the need to save water and not vandalize standpipes | Throughout the project period | <ul style="list-style-type: none"> WUC Contractor Village Development Committee | P20,000.00 | P20,000.00 |
| | | | <ul style="list-style-type: none"> Promote plot connections and community members to be assisted in this endeavour by subsidising water cost of water supply. | Over the years of Operation (Long term) | <ul style="list-style-type: none"> WUC | P50,000.00 | P50,000.00 |
| 4. | Potential increase in new sexually transmitted infections and HIV/AIDS. | To prevent or minimise new infections | <ul style="list-style-type: none"> As part of educational campaigns for the workers, on STIs, and communicable diseases, the contractor should include community members on their prevention and treatment. Sensitize workers and community members on HIV/AIDS on monthly basis Condom dispensers filled with condoms daily should be placed at the easily accessible points for community members to gain access to. Educate community members on condom usage and proper disposal of used condoms and other medical waste. | Throughout the project implementation period. | <ul style="list-style-type: none"> Contractor, District Health Management Team Ministry of Youth, Sports and Culture Development Department of Gender Affairs | P50,000.00 | P50,000.00 |
| 5. | Teenage Pregnancy | To avoid teenage pregnancy of community members | <ul style="list-style-type: none"> Educate both workers and community members on contraceptive use. Provide after school activity to keep kids busy and continuous education of the girl child. (Such introduction of soccer clubs sporting codes of interest) | Throughout the project period | <ul style="list-style-type: none"> Contractor District Health Management District Team | P100,000.00 | P100,000.00 |
| 6. | Increased pressure on existing Social and Health Facilities | Ensure that VC member still receive adequate access to social and health facilities | <ul style="list-style-type: none"> The workers and staff are to be educated to share the natural resource or services wisely and with due respect to the residents of the | Throughout the project period | <ul style="list-style-type: none"> Contractor Village Development | | |

| No | Impact to be Mitigated/ enhanced Issue to be addressed | Management Objectives | Mitigation Measures/Action | Time Period | Responsibility for Implementing Mitigation Measures | Estimated Cost (BWP) | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------|
| | | | | | | Damuchojena | Gojwane |
| | | | <p>village bearing in mind the sustainability of the services or resources.</p> <ul style="list-style-type: none"> The workers should be educated prior to working in and around the Vulnerable Communities on the norms and cultural values of the people within which village they are working. Discuss with the relevant authorities to bring in extra staff members, to assist faster service delivery to decrease pressure of existing staff. | | <p>Committee of each village</p> <ul style="list-style-type: none"> District Health Management Team Social & Community Development Officers | P50,000.00 | P50,000.00 |
| 7. | Potential Increase in Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC) | Ensure Gender equality and respect of all VC members | <ul style="list-style-type: none"> Contractor to engage a Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC) Service Provider to conduct an awareness talk periodically (monthly) on GBV, and their prevention and to provide services to Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC) survivors and perpetrators. Train project-related staff and beneficiary settlements on behaviour obligations. To make this effective, all workers should sign Individual Code of Conduct for good behaviour as presented in The Worlds Bank Code of Conduct in Annex C. Ensure women equal opportunity when hiring labour or come up with a reasonable ratio between male and female employees as this could help address the problem of younger women getting into relationships for financial support and being abused in that process. A Gender Based Violence (GBV) and Violence Against Children (VAC) Compliance Team to be formed as per World Bank's guidelines as presented in Annexure .5 in the ESIA A GBV Action plan and mapping of support services will be undertaken prior to construction The contractor and its subs and all workers are to be sensitized on Codes of Conduct and Action Plan for preventing Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and | Throughout the project period | <ul style="list-style-type: none"> WUC Contractor WUC | P75,000.00 | P75,000.00 |

| No | Impact to be Mitigated/ enhanced Issue to be addressed | Management Objectives | Mitigation Measures/Action | Time Period | Responsibility for Implementing Mitigation Measures | Estimated Cost (BWP) | |
|-----|-----------------------------------------------------------------------------------------------|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------|
| | | | | | | Damuchojena | Gojwane |
| | | | Violence Against Children (VAC) throughout the implementation of the project. | | | | |
| 8. | Potential Archaeological finds (Potential burial sites between Serule and Gojwane settlement) | To prevent disturbance to burial sites | <ul style="list-style-type: none"> Educate workers on archaeological finds Stop work and inform the Project Monitoring Team They will in turn inform the Department of National Monuments and Museum for further action. Please refer to Annex V. | Throughout the project period | <ul style="list-style-type: none"> Contractor WUC | Has been added to the budget for ESIA implementation | Has been added to the budget for ESIA implementation. |
| 9. | | | | | Sub Total | P645,000.00 | P645,000.00 |
| 10. | | | | | 15% Contingency | P 96,750.00 | P 96,750.00 |
| 11. | | | | | Grand Total | P741,750.00 (US\$74,175.00) | P741,750.00 (US\$74,175.00) |
| 12. | | | | | Total for all two settlements. | P1,483,500.00 (US\$148,350.00) | |

12.0 IMPLEMENTATION, MONITORING AND EVALUATION

The monitoring of the implementation of the VCP will be part of the monitoring of the entire project. The monitoring system or procedure is detailed in the ESMP of the project.

The mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the VCP should include arrangement for the free, prior, and informed consultation with the two settlements during construction as needed. The overall monitoring of the Vulnerable Communities Plan shall be that of the Project Implementing Unit (PIU) of WUC. Within the Project Implementation Unit, the Social Safeguards Specialist shall be specifically responsible to monitor implementation of the VCP. The PIU's Social Safeguards Specialist shall undertake periodic community consultations when necessary and inform stakeholders on the status of project implementation of the VCP and its elements on a monthly basis.

Monitoring and evaluation (M & E) processes of this VCP will be built in from the early stages of the project to ensure its efficient and effective implementation. The processes will be participatory (in the sense that when communities are consulted, Basarwa also attend and participate as part of the community and the CLO is a Mosarwa where there are Basarwa communities). All stakeholders including the Basarwa should understand the project stages and activities very well and know what to expect when and how which will promote transparency and accountability. The monitoring and evaluation mechanism includes arrangements for the free, prior, and informed consultation with the affected VCs. The framework also identifies organizational responsibilities in terms of monitoring, supervision, and evaluation procedures.

The monitoring is to assess the overall success of the VCP and the effectiveness of the various processes and measures. Monitoring activities will comprise three main components:

- Internal monitoring
- VCP completion audit (by an external expert)

The internal monitoring process will run as part of day-to-day PIU activities by the PIU teams.

The completion audit will verify full, comprehensive and transparent implementation of the project. The project implementing staff will be trained on application of M&E processes in their day-to-day activities so that they are able to identify possible risks and ensure these are addressed early on. This performance M&E will be done by staff on their daily project deliverables.

M&E step will be carried out throughout implementation by WUC, to establish if the project objectives and proposed activities are being implemented as planned and suggest interventions as may be needed to put the implementation back on track. This will include assessment of project progress reports, interviews with the Vulnerable Community, stakeholders and observations. The VCs will be active in M&E as they will be consulted in assessing the implementation of the VCP, its successes, challenges and mitigation strategies.

13.0 VALIDATION AND DISCLOSURE

The presentation of VCPs to the communities will be communicated in Setswana language which is the main language spoken in both communities. However, the monitoring consultant will ascertain if there are Basarwa who do not speak or understand Setswana so that alternative arrangements can be made for Sesarwa interpretation. The

plan and its implementation activities and processes will be communicated to the Basarwa at all stages of implementation using language and approaches that are culturally appropriate. Leaflets, flyers, posters and validation workshops will be some of the communication means used for the VCP validation. Following finalization of the VCP, as agreed by the community, WUC will consult with the community for plan validation on a ward-by-ward basis, in a culturally appropriate language and format. For any changes made to the VCP in validation exercise, the same approval and disclosure protocols as of the original VCP will be followed. Following validation of an agreed VCP with the community, the VCP will be disclosed on WUC's website, hard and soft copies will be made available to the VDC and Kgosi and will be disclosed by the World Bank on its external website.

ANNEX A: Minutes and Summary of Meetings with VCs in Damuchojenaa and Gojwane (Attendance records in Selebi-Phikwe ESIA/ESMP, Vol. 2, Annex E, in addition to minutes with NGOs)

1) DAMUCHOJENAA KGOTLA MINUTES 10 June 2013 at 1030hrs

A total of 135 people were present at the Kgotla meeting. People in attendance at the meeting were:

| ITEM | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | WELCOME AND INTRODUCTIONS |
| | <p>Mrs. Ntila Jacob led the proceedings of the Kgotla meeting. She introduced the village elders and representatives of various committees in the village to the consultants. The consultant, Mr Lekopanye Keolopile introduced the consultants to the meeting.</p> <p>Kgosi Motsholetse of Damuchojenaa village delivered the welcome remarks. Kgosi started by welcoming the environmental consultant and all to the Kgotla meeting. Kgosi then informed the meeting about the purpose of the meeting and further encouraged all the people at the meeting to listen attentively to the presentations and feel free to discuss any arising issue related to the proposed water project. Kgosi then gave the floor to the consultants to explain the purpose of their visit.</p> |
| 2. | PROJECT BRIEF & PRESENTATION |
| | <p>Mr. Tebogo Gaborone from Bothakga Burrow Botswana (Pty) Ltd gave the project brief and he informed the meeting that Water Utilities Corporation intends to commence a design study of Selebi Phikwe to Serule Water transfer Scheme and the following infrastructure will be provided.</p> <ul style="list-style-type: none"> Transfer pump station to be equipped with two sets of pump, one set dedicated to the supply of Mmadinare, the other set to Serule and Damuchojenaa en-route. Transmission pipelines from Selebi-Phikwe and terminating at Serule. Transmission pipelines from Selebi-Phikwe to Mmadinare village Transmission pipelines from Serule to Gojwane Power supply to the pump stations and Telemetry Controls <p>Mr. Gaborone also informed the meeting that the proposed water pipeline route to them is along the Damuchojenaa en-route from the Selebi-Phikwe to Serule pipeline.</p> <p>He added that Bothakga Burrow Botswana (Pty) Ltd who are project engineers have commissioned Earthtec Consultancy (Pty) Ltd to prepare a Detailed Environmental impact Assessment for the implementation of the proposed water pipeline project. Mr. Gaborone then gave the floor to the Environmental consultant to explain the purpose of the meeting.</p> <p>Mr. Lekopanye Keolopile of Earthtec Consultancy (Pty) Ltd gave the project presentation and he informed the meeting that Damuchojenaa community is consulted in fulfilment of Section 7 of the Environmental Assessment Act, 2011 to hear their views/concerns on the proposed project with respect to the following anticipated positive and adverse impacts emanating from its implementation.</p> <p>Benefits</p> <ul style="list-style-type: none"> Generation of employment Provision of treated water <p>Adverse Impacts</p> |

| | |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>Disturbance to soil stability Open trenches may cause accidents Generation of dust and noise Expropriation of properties Health and safety issues Social issues</p> <p>He also informed the meeting that this assessment is done in order to identify appropriate mitigation measures to the raised anticipated impacts/issues. Mr Keolopile finally requested the community to voice their views, question and comments on the proposed project.</p> |
| 3. | QUESTIONS AND DISCUSSION SESSION |
| | <p>Question: wanted to know when recruiting of workers will start and also wanted to know when the project will commence?</p> <p>Response: In his response Mr. Tebogo Gaborone of Bothakga Burrow Botswana) Ltd (Pty) Ltd informed that recruiting of workers will start once a contractor has been engaged to start works. He further said that the community will be informed by the contractor when he intends to recruit people. Lastly, he said the project is expected to commence as soon as all the necessary approvals have been issued out such as EIA clearance.</p> |
| | <p>Question: She wanted to know what would happen in the event that someone's property is affected by the pipeline?</p> <p>Response: In his response Mr. Tebogo Gaborone of Bothakga Burrow Botswana (Pty) Ltd informed that according to the proposed designs, it is very unlikely that the water pipeline will affect any properties. He further mentioned that if anyone's property is affected assessments are made and then the affected property owner is compensated appropriately by the contractor.</p> |
| 4. | POINTS/ COMMENTS NOTED |
| | <p>Mr. Rantsabele advised the pipeline to avoid going towards people's fields to avoid conflicts. Lastly, he said that they would warn and look after their children when it comes to the interaction with the visitors or contractors concerning health issues such as HIV/ AIDS related issues.</p> <p>Resident welcomes the scheme to transfer water to their village.</p> <p>Resident promised the environmental team that the community of Damochojena is prepared to help the especially on identifying graves/tombs that are likely to be affected by the proposed project.</p> <p>A resident noted that the youth should take good care of themselves, especially girls because the community don't expect incidents of defilement, single mothered children and marriage break down emanating from construction workers.</p> <p>Resident pleaded with the proposed project to employ unskilled labour from the local community. He also advised the project to employ the elders as guards so that they also benefit from the problem.</p> |
| 5. | CLOSING REMARKS |
| | <p>In her closing remarks, she thanked all for coming to the kgotla meeting. She encouraged the villagers to cooperate and unite to be successful in the project happening in the village. Lastly, she thanked the initiative of consultation in her village or all the project villages.</p> |

2) MEETING HELD AT DAMOCHOJENAA KGOTLA ON 10 AUGUST 2017

Time: 0900hrs

Master of Ceremony: VDC Secretary

Opening prayer: Volunteer

Introduction of Guests: VDC Vice Chairperson

Attendants:

Damochojena a Kgosi Koobapetse Ditsopa and his headmen, VDC committee, land overseers, farmers committee, village elders and the community.

Visitors:

Earthtec Consultants, Water Utilities Corporation (WUC), Mmadinare sub-Land Board representatives.

| ITEM | INTRODUCTION |
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| 1. | Mmadinare Sub Land Board chair (Mr. Lesedi Tshwang) urged the participants to listen attentively as WUC has now secured funds to resume the project Selebi-Phikwe Serule Water Transfer Scheme of 2013. He continues to advise the community to prepare papers adequately marked their plots or fields, in case they will be among affected parties. |
| 2. | <p>PRESENTATION</p> <p>Mr. Moreri Tsiang of Water Utilities Corporation (WUC) began his presentation by stating that the main aim of WUC is to make sure that there is enough water for everyone, in Botswana. He added that Damochojena a is one of the villages experiencing water shortage. As a result, the Selebi-Phikwe Serule Water Transfer Scheme has been initiated to provide water to Damochojena a and other villages with the same problem. He stated that the project will start at Selebi-Phikwe then pass through the following villages: Mmadinare, Damochojena a, Gojwane, Serule, Moreomabele and finally Topisi. Mr. Tsiang informed the public that the project is the expansion of the water treatment project in Selebi-Phikwe which started around 2009 and was completed in 2010. He explained that this water transfer scheme was not implemented due to lack of funds. But now funds have been sought from the World Bank (WB) in the form of a loan to the government to implement this project, among others. He further explained that the project is now at environmental and social impact assessment stage, to make sure that affected communities are properly consulted and no one is negatively affected without being compensated.</p> <p>Mrs Boitumelo Molale of Water Utilities Corporation (WUC) cautioned that even though there are funds from the World Bank, the bank has the power to stop the project if procedures are not followed. She highlighted that, this consultative meeting is a result of part of the bank's requirements. Mrs B. Molale informed that, Damochojena a village is also affected, and Earthtec Consultancy (Pty) Ltd representative will explain more about environmental and social impact assessment and the community's role in the assessment. She encourages the public to feel free to express their concerns before the project implementation. She commented that WUC will work hand in hand with Land board as per the requirements of the World Bank. She further requested the community to work and agree with the land board to grant land to WUC to implement the project in order to avoid delay of this project.</p> <p>Mr. Nelson Ramasesane from Earthtec Consultancy (Pty) Ltd highlighted that it is not the first time to consult the community of Damochojena a regarding this project. The meeting of the same magnitude was held on 10 June 2013, 0900hrs. He</p> |

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| | <p>commented that in 2013, a report was submitted to Department of Environmental Affairs (DEA) for consideration, but now World Bank loan came with its own requirements, which called for an update of the previous study made. Mr. N. Ramasesane urged that, with the help of the community, other impacts that were left out in 2013 assessment are supposed to be identified, and also identify all people who will be affected and how the land board and Earthtec Consultancy (Pty) Ltd will handle resettlement or compensation plan. He further explained that the negative impacts that were identified in 2013 among others are deforestation, disturbance of soil stability, air pollution, environmental pollution, veld fires, cracking of houses, accidents caused by an open trench, increase in HIV/AIDS infection. And positive impacts identified were employment creation and provision of high-quality water. Mr. Nelson Ramasesane also shared with the community, the mitigation plan, which was to put in place to minimize the adverse of the above impacts.</p> <p>The consultant further informed participants that all government and non-governmental organizations affected by the project will be consulted. He showed participants a pipeline route, noting that it was designed in 2013 and that any changes to the village infrastructure will be taken into consideration. Moreover, Mr. N. Ramasesane indicated that all those who will be negatively affected by this project will be given a time period to voice their grievances. He pleaded with the community to assist in identifying plot owners who are going to be affected and asked them to state all impacts left out from the previous report. However, he informed them that a community liaison officer will be employed by the contractor, Mr N. Ramasesane asked the community to state a way that they feel is comfortable for them to express their complaints. Mr. N. Ramasesane also asked the community to identify the entire infrastructure (for example, schools, NGOs, clinics among others) in the village and he gave Village Development Community chairperson a form, for guidance. Mr Ramasesane cautioned the public to be careful and prioritize when identifying infrastructure to pave way for corporate social responsibility by the contractor.</p> |
| 3. | <p>QUESTIONS AND COMMENTS</p> |
| | <p>Comment: A resident welcomed the project and urged the land board to closely monitor the possibility of community extending their plots illegally. He advised that the contractor should be careful while digging for the crossing pipes used by farmers at the cattle posts. The pipeline route should be re-routed along government cordon plot, to avoid unnecessary damage to nearby plots. He added that the contractor should also be advised to adhere to Botswana Labour law working hours. He expressed how happy he is because the community of Damochojenaa has been recognized this development.</p> <p>Answer: Mr. N. Ramasesane Mr. Ramasesane applauded the resident for brilliant advice and assured that they will be considered.</p> <p>Comment: A resident of the village welcomed the project and urges that they may not be affected but access to their fields may be an issue during construction. She agrees that they will cooperate with WUC, Earthtec, Land board and even the contractor, provided the right procedures are followed to avoid misunderstandings.</p> <p>Comment: A resident in the village urged that the contractor should be advised to adhere to payment agreement set during the time of employment, and all villagers should be treated equally during the time of employment. He also pleaded that the contractor should be advised to be engaged in social responsibility among all villages.</p> |

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| | <p>Answer: Mr. Nelson Ramasesane Mr. N. Ramasesane noted the comments and assured the community that they will be considered, as per the law of Botswana.</p> <p>Question: A resident wanted to know if the hiring will be done through Labour Office, and also wanted to know if they are mitigations to put in place for burrow pits.</p> <p>Answer: Mr. Nelson Ramasesane In his response Mr. N. Ramasesane the employment will be done at labor office and at kgotla in places where they are no labor office. He continues to explain that all burrow pits have EIAs or EMP which also provide mitigation plan for individual burrow pits.</p> <p>Comment: S. Office He welcomed the project and advised that the main contractor should consider sub-contractor and other in the local community. He commented to the community that, they should be patient as social issues need to be ironed out before World Bank releases the funds.</p> <p>Answer A resident advised that women in Damochojenaa should refrain from breaking their current relationships with contractor men, as this may increase the number of single parent and also STDs.</p> <p>Comment: A resident welcomed the project and urged that the contractor should be advised to engage in social responsibility in all villages.</p> <p>Comment A resident welcomed the project</p> <p>Comment: Damuchojenaa Kgosi Kgosi expressed his happiness as the people of Damochojenaa are going to benefit from this project. He commented that there are a lot of skilled personnel in his village, who are ready for this project and pleaded that they should be given chance.</p> <p>Comment: Masego Masego pleaded that the contractor should assist the village by constructing maternity clinic, build a house for the needy and fence the village cemetery.</p> |
| 4. | CONCLUSION |
| | <p>Motshidisi Sakane thanked WUC, Earthtec Consultancy (Pty) Ltd for the consultations as the project has long been stalled. He expressed how they welcome the project as the community of Damochojenaa has been drinking borehole water. Sakane said they are very happy as also this water will help in their delayed developments like poultry production. He urges fellow members to be responsible for personal relationships during the entire project.</p> <p>Mr. Masiha closed the meeting with a prayer.</p> |

3) MEETING HELD AT DAMOCHUJENAA KGOTLA OFFICE WITH KGOSI AND VDC, 19 FEBRUARY 2019

Time: 1530hrs

Attendants: Damochujenaa Chief (Kgosi) and his head men, VDC committee, social work officer, and some village elders

Visitors: Earthtec Consultancy representative (Mr. Nelson Ramasesane), Water Utilities Corporation (WUC) representatives (Mr. Khotso Sebeke and Ms. Ruth Radibe), Senior Social Development Specialist - World Bank (Ms. Gina Cosentino).

Ms. Ruth Radibe from Water Utilities Corporation (WUC) introduced then visitors, and the village chief introduced Damochujenaa representatives present in the meeting. Ms. Radibe continued to inform people that this meeting is for the World Bank water sponsored project and asked if they knew about it. The VDC confirmed their knowledge of the project as well as having received Earthtec Consultancy representatives in the village multiple times to discuss this project. The language spoken was Setswana with English translation provided by WUC.

Discussions with the World Bank (WB), WUC, the Kgosi and VDC entailed the following:

- WB and WUC stated that the purpose of the meeting was to make Kgosi and others who are present aware that tomorrow meeting will be for vulnerable people. Kgosi asked, what the meeting was going to be about exactly.
- The purpose of the community meeting was to understand the social and economic aspects of communities found in the village, more especially vulnerable (Basarwa) people and establish how the project is going to impact them (negatively and positively).
- Kgosi stated that in Damochujenaa village, all people are equal, and it is not encouraged nor tolerated to address certain tribe in Kgotla and leave out the others, as this encourages discrimination and tribalism. And the water project should benefit everyone in the village as it is the village's concern, not for a certain tribe.
- WB affirmed the project will benefit everyone, but it is important to understand if it will have adverse impacts on some over others. Discussed briefly what was in OP4.10 and the aim was to ensure that benefits will be accrued to all.
- WB asked about the tribes that live in Damochujenaa.
- Kgosi and VDC representatives stated, Bangwato, Basarwa, Bakalaka, and Babirwa among others.
- Discussion about languages spoken: VDC Vice-Chairperson stated everyone uses Setswana to communicate in the village. He continued by saying that, maybe this is because of the different tribes found in the village. He stated that the Sesarwa language does no longer exist, but their great grandfather used to communicate using the language.
- Land rights: do Basarwa own the land? Are they living together in one area or spread across the village? VDC member commented that the land is owned by the community and distributed by Land Board on behalf of the community and therefore, Basarwa as well as other tribes, live together wherever they have been allocated a plot by Land Board.
- Do community members self-identify along tribal lines? Kgosi commented that he is a Mosarwa and Basarwa can self-identify because their great grandfather told them their identification.
- How many of Basarwa in the village? Kgosi commented that Basarwa are present, but the number is not confirmed because the Government of Botswana sees everyone equal, hence no need to count people per tribe.
- History of the village? Kgosi recounted a story told to him by his ancestors that his great grandfathers (men only) were using the place as grazing land and ploughing fields. His great grandfathers were brought to the place (now Damochujenaa) by the

Great Khama and later he brought Basarwa women for them to marry and that is how they were born.

The meeting was adjourned at 16:15hrs in the afternoon and the time for the next day meeting was confirmed to be 8:00am in the morning.

4) MEETING HELD AT DAMOCHUJENAA KGOTLA, 19 FEBRUARY 2019

Time: 0800hrs

Master of Ceremony: VDC-Member

Opening prayer: Volunteer (Mr. Lebasa)

Introduction of Guests: Mr. K. Sebeke

Attendants:

Damochujenaa Chief (Kgosi) and his head men, VDC members, Social and Community Development Officer, some village elders and the community of Damochujenaa

Visitors:

Earthtec Consultancy representative (Nelson Ramasesane), Water Utilities Corporation (WUC) representatives (Khotso Sebeke and Ruth Radibe), World Bank social specialist representative (Gina Cosentino).

| ITEM | INTRODUCTION |
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| 1. | The Chief of Damochujenaa settlement welcomed all present and highlighted that the Government of Botswana does not discriminate due to colour, ethnicity hence he found it fit to bring a white person to talk to people of Damochujenaa. He encouraged attendants not to use vulgar language, but they may use any language they feel comfortable with. He told them that comments should be on Water Project only, not BCL mine. He concluded by once again welcoming the World Bank representative and everyone who was present in the meeting. |
| 2. | PRESENTATION Ms. Cosentino from World Bank (WB) was introduced. WUC (Ruth Radibe, social specialist and Khotso Sebeke both provided English translation). Purpose of the visit was for the project team to learn more about the community to ensure that the project provides appropriate benefits to all and ensure that the project considers adverse impacts so that the project can properly address them. The consultants undertaking the environmental and social assessment study and VCP was present to obtain further information about the community which was not captured in previous visits. WB policy on Vulnerable Communities (OP4.10) was briefly discussed and why this was being addressed in this project. The project team wanted to learn more about the community. <i>Project asked permission to record minutes (written) without attribution and take pictures (and include them in project documents) – community agreed</i> |
| 3. | Summary of QUESTIONS AND COMMENTS |
| | What the community knew about the project: <ul style="list-style-type: none"> The Minister once visited the village and informed the community about the project and that a loan has been sourced from World Bank. Discussion on water security/issues/concerns in the village: <ul style="list-style-type: none"> No water and sometimes WUC bowses water to the village water tank, but this water is not enough for all of them (male) |

- (woman) stated even if there is no water, the water bill is very high, and it can go as high as P200 per month for those with house /plot connection.
- Water is sometimes bowsed into water reservoirs within their wards and to preserve this water, children are not allowed to fetch water. She also complained that borehole water causes some complications for pregnant women. She also said WUC only bowses twice, yet they are supposed to browse three times, which is why water is not enough for all of them.
- **Village Chief** stated WUC bowsers 4 times, not 2 times
- **Deputy School Head of Damochujenaa** noted they do not have water at the school, but usually water is booked from WUC, though it is not enough because teachers also use that same water.
- (Male community member) stated due to the elevation of the village, sometimes water does not reach some parts of the village if the village water tank is not full.
- The tank was built in 1989. Between 1990-2019 the population has grown, not surprised there isn't enough water due to population growth and increase in needs/demand
- Village has a slope – where it is higher, even if it is bowsed, water doesn't come out of tank
- They used to have a borehole
- Even though the water is salty/poor quality, they drink it anyway because they don't have an alternative

Discussion on food availability. Water needs for food. Enough for livelihoods?

- Woman community member stated there is not enough water for personal hygiene and cleaning clothes, therefore children go to school dirty.
- Community member stated that the water tank is not big enough to provide water for the whole village. He commented that everyone welcomes this long waited for project to start.

Access to health services:

- The village has a health post, but it also lacks water. The primary hospital is at Mmadinare village (has surgical capacity, MDs, water and electricity). The village has an ambulance for in times of emergency.
- They have a nurse, midwife and a health worker

Access to education and attainment rates; literacy:

- **Deputy School Head of Damochujenaa** - they have a primary school (standard 1-3), while Junior school (form 1-4) is at Serule where children stay at boarding school (16-17kms away)
- Commented that most of elders are illiterate and as homes also lack electricity this hinder students to do homework at night and most parents do not have money to pay tutors. Kids tend to drop out to assist with livelihoods and because they don't have the environment at home to continue their studies
- Most youth don't attend tertiary as they fail form 3, 4, 5 - when you pass form 5, you qualify to go to university. Students then meet with social worker who will help student get a govt sponsorship to go to a college or university
- Most of the villages in SP are largely illiterate
- Students with disabilities can go to a different school, some aren't sent (far and some parents don't send them)

Employment and Livelihoods:

- Most of the villagers depend on Government support programs, such as Ipelegeng (for work/temporary employment which lasts for 2-3 months on rotational basis),

- A few people plough, some farm.
- No jobs, very high unemployment, poverty is high
- A minority of people are employed by providing ploughing, some work on cattle posts (ranching)
- If there are heavy rains, then people can farm – they want to farm but not enough water
- Some members stated that they fetch mophane (caterpillars), Mogwana (wild berries), thatching grass for both eating and selling for their livelihood
- Employment plummeted after the BCL mine closed. Most families were dependent on that income – now no job opportunities, no income for many families except for govt assistance

Land ownership/access to land:

- Land is owned by the community and is distributed by land board to those who apply for it
- Not distributed by ethnic group
- Tribal lands are owned by community; 18 years old or older can apply for land. No land for different ethnic groups – individuals/families ask for land (state lands are mainly in townships)

Discussion on project risks related to GBV/SHEA/VAC and community concerns related to this in the project:

- Commented that they know that some of their girl children are going to go to visit the workers/sexual relations – workers have money, poverty and lack of access to jobs for youth a concern
- Project team informed the community about the Codes of Conduct with the workers, and it will guide them on how they should interact with young women in the community including children

Discuss on languages spoken in the village and various groups living together in the village:

- Over one third of the people who attended the meeting raised their hands stating they were Basarwa. Noted the presence of other groups who also raised their hands. Some Basarwa said they can still speak their language and speak it among themselves. Youth not as much but the language is spoken (as well as other ethnic languages)

Self-identification, languages, religion:

- Basarwa stated being Basarwa is part of their culture and heritage and are proud of it.
- Multiple languages spoken including Sesarwa (language of Basarwa) and numerous others based on ethnic composition
- Christianity, African spirituality (Sidimo)– some practice both

Discussion on HIV/AIDS and employment opportunities through project and other concerns about the project:

- Community was told that the contractor will be highly encouraged to hire local people to avoid family breakdowns, theft, rape, and new HIV/AIDS infections.
- The Employment Act of Botswana will be followed when it comes to issues of employment.
- Community discussed wanting a fair and transparent process (hiring opportunities)

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| | <p>posted at Kgotla, CVs/applications to be collected at Kgotla), opportunities for youth and women are important to reduce risks. They wanted to know exactly what to do when applying for a job.</p> <ul style="list-style-type: none"> • Concerned about labor influx – especially related to community (women/girls/children safety – women/girls re transactional sex), possible conflict and taking possible jobs away from the community • GRM is not operational – project team discussed one will be set up, training with the community, 2 people will be on the GRC (one male/female, one will be a VC), discussed the principles |
| 4. | Conclusion |
| | <p>The Chief thanked all for attending the meeting because water is a very critical issue in the village. And commented that, its importance is indicated by the presence of guests from the various institutions and thanked them that nobody left the meeting since it started.</p> <p>The meeting was closed with a prayer offered by a volunteer.</p> |

Photos of DAMOCHUJENAA KGOTLA, 19 FEBRUARY 2019





5) GOJWANE KGOTLA MINUTES, 11 JUNE 2013 AT 1400HRS

A total of 83 people were present at the Kgotla meeting.

| ITEM | |
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| 1. | WELCOME AND INTRODUCTIONS |
| | <p>Mr. Kgomotso led the proceedings of the Kgotla meeting. He introduced the village elders and representatives of various committees in the village to the consultants. The consultant, Mr Lekopanye Keolopile introduced the consultants to the meeting.</p> <p>Kgosi Keitshwenye Baitshinyi of Gojwane village delivered the welcome remarks. Kgosi started by welcoming the environmental consultant and all to the Kgotla meeting. Kgosi then informed the meeting that he expected the community to come in large numbers and apologised to the consultants for this shame. Kgosi however advised those at the meeting to listen to the presentations attentively following his brief on the purpose of the meeting. He also encouraged all the people at the meeting to feel free to discuss any arising issue related to the proposed water project. Kgosi then gave the floor to the consultants to explain the purpose of their visit.</p> |
| 2. | PROJECT BRIEF & PRESENTATION |
| | <p>Mr. Tebogo Gaborone from Bothakga Burrow Botswana (Pty) Ltd gave the project brief and he informed the meeting that Water Utilities Corporation intends to commence a design study of Selebi-Phikwe to Serule Water transfer Scheme and the following infrastructure will be provided.</p> <ul style="list-style-type: none"> Transfer pump station to be equipped with two sets of pump, one set dedicated to the supply of Mmadinare, the other set to Serule and Damochojenaa en-route. Transmission pipelines from Selebi-Phikwe and terminating at Serule. Transmission pipelines from Selebi-Phikwe to Mmadinare village Transmission pipelines from Serule to Gojwane Power supply to the pump stations and Telemetry Controls <p>Mr. Gaborone also informed the meeting that the proposed pipeline route from Serule to Gojwane will follow the existing pipeline route.</p> <p>He added that Bothakga Burrow Botswana who are project engineers have commissioned Earthtec Consultancy (Pty) Ltd to prepare a Detailed Environmental impact Assessment for the implementation of the proposed water pipeline project. Mr. Gaborone then gave the floor to the Environmental consultant to explain the purpose of the meeting.</p> <p>Mr. Lekopanye Keolopile of Earthtec Consultancy (Pty) Ltd gave the project presentation and he informed the meeting that Gojwane community is consulted in fulfilment of Section 7 of the Environmental Assessment Act, 2011 to hear their views/concerns on the proposed project with respect to the following anticipated positive and adverse impacts emanating from its implementation.</p> <p>Benefits</p> <ul style="list-style-type: none"> Generation of employment Provision of treated water <p>Adverse Impacts</p> <ul style="list-style-type: none"> Disturbance to soil stability Open trenches may cause accidents Generation of dust and noise Expropriation of properties |

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| | <p>Health and safety issues Social issues</p> <p>He also informed the meeting that this assessment is done in order to identify appropriate mitigation measures to the raised anticipated impacts/issues. Mr Keolopile finally requested the community to voice their views, question and comments on the proposed project.</p> |
| 3. | QUESTIONS AND DISCUSSION SESSION |
| | <p>Question: A resident informed that water shortage is high in their village therefore he wanted to know when the pipeline works will start?</p> <p>Response: In his response Mr. Tebogo Gaborone of Bothakga Burrow Botswana (Pty) Ltd informed that the project is expected to commence as soon as all the necessary approvals have been issued out such as the EIA clearance.</p> |
| | <p>Question: A resident informed that there are some old graves along the proposed pipeline route and wanted to know what is going to be done if graves are found to be affected by the proposed project?</p> <p>Response: In his response Mr. Lekopanye Keolopile of Earthtec Consultancy (Pty) Ltd informed the meeting that if graves are discovered along the pipeline route, the project archaeologist would be informed of such findings and appropriate actions are undertaken according to procedure, and this could mean relocation of the remains to a new grave.</p> |
| 4. | POINTS/ COMMENTS NOTED |
| | <p>Mr. Nkhutsang Gasebake advised to be consulted during identification of graves likely to be affected by the proposed pipeline project.</p> <p>A resident of the village hoped for employment to the local people.</p> <p>Kgosi Basina Khumo urged the project to corporate with the community and consult progressively.</p> |
| 5. | CLOSING REMARKS |
| | <p>In his closing remarks, the village Councillor Mr. Mokhondo, thanked all those who managed to come for the meeting and pointed out that he is for their presence. He also urged the villagers to take meetings seriously as they inform and their opinions in relation to the development of their village. Lastly, he thanked the villagers for their positive responses in the meeting.</p> |

MEETING HELD AT GOJWANE KGOTLA on 9 August 2017

Time: 0900hrs

Attendants:

Kgosi Moagi O. Kethaetse, VDC Chairperson and his Vice, the community of Gojwane

Visitors.

Tonota sub-land board representative, WUC, Earthtec Consultancy (Pty) Ltd and A-Cap Resources Limited representative.

Introduction of Guests: Ms. M. Khumo (VDC-Chair)

Welcome Remarks: Kgosi M. O. Kethaetse

| ITEM | INTRODUCTION |
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| 1. | Gojwane Chief, Kgosi Kethaetse welcomed visitors from the land board, WUC, and Earthtec Consultancy (Pty) Ltd and cautioned the community about the |

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| | <p>importance of this meeting. She also appealed to the member of the community to listen and be part of the discussion.</p> <p>Tonota Sub-Land board representative, Mr. Olefile thanked the collective effort by the three institutions towards the welfare of communities and requested community members to pay attention to the presentation.</p> |
| <p>2.</p> | <p>PRESENTATION</p> |
| | <p>Mr. Lucas Makepe of Water Utilities Corporation (WUC) began his presentation by stating that this project continues from far back as 2012 which was stalled due to lack of funds. He added that World Bank has funded water projects including Selebi-Phikwe Serule Water Transfer Scheme. He continued by saying that A-Cap Resources Limited will also introduce their project as the initial or planned pipeline route has now been affected by the Mine. He assured the community that if things go according to plan, the construction of this project will commence by April 2018. Mr. Makepe further advised that procedures will be followed to ensure that the local community is given priority during the recruitment process.</p> <p>In addition, Mr. Edward Moseki added that Gojwane is one of the villages experiencing water shortage. As a result, the Selebi-Phikwe-Serule Water transfer scheme has been initiated to provide water to Gojwane and other villages with the same problem. He stated that the project will start at Selebi-Phikwe then pass through the following villages: Mmadinare, Damochojenaa, Gojwane, Serule, Moreomabele and finally Topisi. Mr Moseki informed the public that the project is the expansion of the water treatment project in Selebi-Phikwe which started in 2009 and was completed in 2010. He explained that this water transfer scheme was not implemented due to lack of funds.</p> <p>Mrs Boitumelo Molale of Water Utilities Corporation (WUC) warned the community that, even though there are funds from the World Bank, the bank has the power to stop the project if procedures are not followed. She highlighted that, this consultative meeting is a result of part of the bank's requirements. Mrs B. Molale informed that, Gojwane village is also affected and Earthtec Consultancy (Pty) Ltd will tell us more about environmental and social impact assessment and the community's role in the assessment. She encouraged the public to feel free to express their concerns before the project implementation. She noted that WUC will work hand in hand with Land board and Earthtec Consultancy (Pty) Ltd as per the requirements of the World Bank. She further requested the community to work and agree with the land board to grant land to WUC to implement the project in order to avoid delay of the project.</p> <p>Mr. Nelson Ramasesane from Earthtec Consultancy (Pty) Ltd highlighted that it is not the first time to consult the community of Gojwane regarding this project. He noted that the same meeting was held on 11 June 2013, at 1400hrs, in Gojwane Kgotla. He commented that in 2013, a report was submitted to Department of Environmental Affairs (DEA) for consideration, but now World Bank loan came with its own requirements, which called for an update of the previous study made. Mr. N. Ramasesane urged that, with the help of the community, other impacts that were left out in 2013 assessment are supposed to be identified, and also identify all people who will be affected and how the land board and Earthtec Consultancy (Pty) Ltd will handle resettlement or compensation plan. He further explained that the negative impacts that were identified in 2013 among others are deforestation, disturbance of soil stability, air pollution, environmental pollution, veld fires, cracking of houses, accidents caused by an open trench, increase in HIV/AIDS infection. And positive impacts identified were employment creation and provision of high-quality water. Mr. Nelson Ramasesane also shared with the community, the mitigation plan, which was to put in place to minimize the adverse of the above impacts.</p> |

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| | <p>The consultant further informed participants that all government and non-governmental organizations which were to be affected by this project were consulted and will be consulted again. He showed participants a map showing where the pipeline will pass, noting that it was designed in 2013 and that any changes to the village infrastructure will be taken into consideration, including the current proposed Letlhakane Uranium mine project (licensed between Serule and Gojwane, along with the proposed water pipeline connecting the two villages). Moreover, Mr. N. Ramasesane indicated that all those who will be negatively affected by this project will be given a time period to voice their grievances. He pleaded with the community to assist in identifying plot owners who are going to be affected and asked them to state all impacts left out from the previous report. However, he informed them that a community liaison officer will be employed by the contractor, Mr N. Ramasesane asked the community to state a way that they feel is comfortable for them to express their complaints. Mr N. Ramasesane also asked the community to identify the entire infrastructure (for example, schools, NGOs, clinics among others) in the village and gave village development Community chairperson a form, for guidance. Nelson cautioned the public to be careful and prioritize when identifying infrastructure to pave way for corporate social responsibility by the contractor.</p> |
| 3. | <p>QUESTIONS AND COMMENTS</p> |
| | <p>Question: A resident asked if the water will be solely for Gojwane residents or for the mine.</p> <p>Answer: Mr. L. Makepe commented that this project is to bring water to Gojwane village, not mine. He also advised that discussions will be held with mine representatives, to see if they will need water in the near future, so they are catered for.</p> <p>Comment: Land overseer) He cleared the community worries that the mine is going to affect the pipeline route outside the village not internally.</p> <p>Question: He welcomes the project and continues to encourage that Gojwane community should also be considered during hiring processes.</p> <p>Answer: Mr. N. Ramasesane In his response, Mr. N. Ramasesane told the community that, the contractor is encouraged to hire people of all benefiting villages, equally.</p> <p>Question: A resident welcomed the project and asked about compensation eligibilities during construction for purposes of emergency like if the house shutter completely.</p> <p>Answer: Mr. N. Ramasesane Mr. N. Ramasesane assured the community that Land board authority will use Botswana compensation guidelines to assess the eligibility and extent of compensation of each affected party. He highlighted that during construction, the agreement will be reached between the affected party and the contractor, on how to be compensated.</p> <p>Comment: A resident welcomed the project</p> <p>Comment: He advised that photos should be taken a day before blasting is done.</p> <p>Answer: Mr. N. Ramasesane Mr. Ramasesane assured the community that, photos will be taken a day before blasting and get the owner of properties to approve the photos by signing on them.</p> |

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| | <p>Comment: A resident in the village advised that medical checks should strongly be emphasized before hiring people.</p> <p>Question: A resident wanted to know about the hiring criteria that are going to be used</p> <p>Answer: Mr. N. Ramasesane Mr. N. Ramasesane reminded the community that, in his presentation, he did mention that all people from all benefiting villages are supposed to be hired equally.</p> <p>Comment: A resident welcomed the project.</p> <p>Comment: A resident expressed how excited she is about the project, and she cannot wait for any more.</p> <p>Question: A t in the village wanted to know how the proposed mine is going to affect the proposed pipeline route.</p> <p>Answer: Mr. N. Ramasesane Mr. N. Ramasesane commented that the matter is going to be discussed further with A-Cap Resources Limited representative, but the route of the proposed pipeline is going to be re-routed, to avoid traversing of the mining plot.</p> <p>Comment: A resident was concerned about the delay in fixing damaged prepared standpipes.</p> <p>Answer: Mr. M. Tsiang Moreri told the community that, this matter will be attended to in due course.</p> <p>Question A resident wanted to know the procedures for mitigation to be followed when the soil is contaminated by oil or diesel leakages.</p> <p>Answer: Mr. N. Ramasesane Mr. Ramasesane advised the community that mitigation for soil contamination entails, digging up the contaminated soil and taking it for remedies before bringing it back.</p> <p>Comment: A resident welcomes the project since it will bring developments in her village. And she went on to complain about the massive recent water disconnections by WUC, she suggested that revenue collections dates should be set like they used to do in the past.</p> |
| 4. | CONCLUSION |
| | <p>Kgosi Khumo thanked all the elders and government officials present at the meeting and the upcoming of long-awaited developments. The community should expect the worst-case scenarios such as effects of blasting. Kgosi urged community members to make sure that their plots are marked properly in getting ready for the project. He also urged youth to take this chance seriously and abstain from drug and alcohol abuse.</p> <p>Rev. Isaac Motlhabani closed a meeting by prayer.</p> |

6) MEETING HELD AT GOJWANE KGOTLA, 20 FEBRUARY 2019

Date: 20th February 2019

Time: 1400hrs

Master of Ceremony: VDC-Chair

Opening prayer: Volunteer

Introduction of Guests: Mr. K. Sebeke

Attendants:

Gojwane Chief (Kgosi) and his head men, VDC committee, Social Work officer, some village elders and the community of Gojwane, Councillor Mabutho

Visitors: Earthtec Consultancy representative (Mr. Nelson Ramasesane); Water Utilities Corporation (WUC) representatives (Mr. Khotso Sebeke and Ms. Ruth Radibe); World Bank Senior Social Development Specialist (Ms. Gina Cosentino).

| ITEM | INTRODUCTION |
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| 1. | The Chief of Gojwane village welcomed all present and apologized to the community for the late announcement for Kgotla meeting. He also highlighted that he wished the meeting could be in the morning, but it could not as the visitors were still at Damochujenaa. He urged the community to always respond positively to Kgotla meeting calls, as they did with this one. |
| 2. | PRESENTATION World Bank and WUC introduced themselves (English translation provided by WUC) Purpose is to supplement information for the environmental and social assessment study Introduced World Bank policy OP4.10, and relevance in project area. Discussed criteria. <i>Project asked permission to record minutes (written) without attribution and take pictures (and include them in project documents) – community agreed</i> |
| 3. | QUESTIONS AND COMMENTS Awareness and understanding of this project: <ul style="list-style-type: none"> • A community member responded that they have been promised to receive water for long and they are still waiting. • One community member commented that they are patiently waiting for the project to start. • Woman community member indicated Earthtec showed them where the pipeline is going to pass from the railway line to their village water tank. • Indicated that the project was also published in the Botswana Daily News. History of village <ul style="list-style-type: none"> • Established 1978, before it was a cattle post. Basarwa and other tribes were present at that time. Water issues/concerns/scarcity/uses in the village: <ul style="list-style-type: none"> • Commented that though water is available for the basic needs (cooking, cleaning) but it is not enough, and the water quality is very poor • Water in the village is not drinkable and some people survive from bottled water from the market. Contamination of groundwater – salt, makes community sick • Men get the water in the morning and evening • Community said they coped with shortage, but it was difficult. Water is available, but of low quality and WUC always bowses water to the village. Women members emphasized stomach ailments in the community and children due to low water quality. • Impacts livelihoods when there isn't enough water including food production • Many buy their food, but the income isn't adequate |

Livelihoods and Employment:

- Responded that most of the villagers depend on Government programs, such as Ipelegeng, few people plough their farm but never get anything because of scarce rains. He also added that they buy food.
- Farming, some hunting (difficult to do as it is seasonally restricted)
- They fetch mophane (caterpillars), Mogwana (wild berries), thatching grass for both eating and selling as their livelihood.
- Not enough water for livestock
- Many youths said it was very difficult to find a job
- Woman said they have qualified teachers without a job

Employment opportunities/access to credit for women

- Many provide foods/catering, bakery
- No market – poverty rates of surrounding areas, proximity to other markets a challenge
- Financial literacy an issue, limited due to education levels

Access to Health Services:

- Community has a health-post, and it also lacks water and electricity. The village has an ambulance, in times of emergency.
- They also use a traditional doctor. The traditional medicines used among others include: Sengaparile, Monnamontsho and Madiaphotshana.

Access to education and attainment:

- They have a primary school (up to grade 7), while Junior school is at Serule where children stay at boarding school (17-18 km away). She also complained that school is also facing water challenges as teachers houses which use water system do not have working toilets
- No water in toilets for students
- Some children don't go to school – some parents said they don't encourage their children to go to school as they need help with livestock/livelihoods
- High delinquency rates – they run away from school, don't attend
- Kids with disabilities – some go to a special needs school that is not based in the village, but many such children do not attend school
- Access to tertiary schools – youth said there are opportunities to attend but many do not capitalize on those opportunities (many cite lack of available jobs) – also cost a barrier

Land tenure:

- People apply for land at the land board (18 years older and older can apply)
- Land can be inherited and owned by women
- Tribal land (but not owned along ethnic groupings)

Concerns/questions about the project – i.e., GBV, VAC, SHEA, HIV/AIDs, employment opportunities in project

- Community stated that children have to be guided to not forming relationships with project workers – past experience with other projects has been a concern leading to increase in pregnancies, poverty, etc.
- Some parents stated that even if they are counselled, who will attempt to stay at the camp with workers no matter what they will try to do as parents.
- Community members wanted access to jobs in this project due to low employment opportunities more generally – they fear they will not have opportunities through this project to work

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| | <ul style="list-style-type: none"> • Concerns about possible encroachment into their properties – there is a field near the pipelines (project team discussed OP4.12, compensation/consultation with PAPs) • Concerns about pollution, harming livestock – asked what the measures are to prevent this (project team outlined some of the mitigation measures) • Asked about whether the contractors have been hired yet • Project team discussed the Codes of Conduct with the workers and what this means, the training/sensitization that will take place both in the community and among workers and this will be monitored. Community health and safety a key priority • Project team stated that the contractor will be highly encouraged to hire local people to avoid family breakdowns, theft, and new HIV/AIDS infections, etc. • Told community that the Employment Act of Botswana will be followed when it comes to issues of employment (also discussed the types of skills needed, i.e., skilled, semi-skilled, unskilled, unsure about numbers of each) <p>Ethnic/linguistic make up of community (and culture):</p> <ul style="list-style-type: none"> • About 50% present raised their hands indicating they self-identify as Basarwa. Many stated the speak/understand their language • Others present (Bakalaka, Bangwato, Ndebele, Babirwa, Batswapong) • About half of the 220 hundred people who attended the meeting raised their hands • Traditional dances (as well as traditional children dances) are practices as well as rituals around marriage, puberty and others, traditional foods harvested (and sold/prepared) • Basarwa community members taught by their ancestors • Oldest person in their village – 96 y/o male <p>Self-identification</p> <ul style="list-style-type: none"> • The Basarwa said their culture, their language makes them identify as being Basarwa <p>Project benefits proposed by Basarwa</p> <ul style="list-style-type: none"> • For the youth, their main interest is sport and culture (traditional dances) • Youth wanted the project to provide a sports facility so kids can learn about their culture, sports, traditional dances (Sesarwa traditional dance known as setapa dance, dikhwaere) • This can help them develop cultural tourism opportunities in their village |
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| 4. | CONCLUSION |
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| | <p>The Honourable Councillor thanked all for attending the meeting because water is a very critical issue in the village. And commented that, its importance is indicated by the presence of guests from the various institutions and that nobody left the meeting since it started. The meeting was closed with a prayer offered by a volunteer.</p> |
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Photos of Gojwane Kgotla meeting:





ANNEX B: GRIEVANCE MECHANISM MONITORING LOG

| Case # | Date Claim Received | Name of Person Receiving Complaint | Where/how the complaint was received | Name & contact details of complainant (if known) | Content of the claim (include all grievances, suggestions, inquiries) | Was Receipt of Complaint Acknowledged to the Complainant? (Y/N – if yes, include date, method of communication and by whom) | Expected Decision Date | Decision Outcome (Include names of participants and date of decision) | Was Decision communicated to complainant? Y/N If yes, state when and via what method of communication | Was the complainant satisfied with the decision? Y/N If no, explain why and if known, will pursue appeals procedure | Any follow up action? Additional notes |
|--------|---------------------|------------------------------------|--------------------------------------|--------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| | | | | | | | | | <input type="checkbox"/> Yes When_ _____ Method: _____ Email _____ _____ <input type="checkbox"/> No | If | |
| | | | | | | | | | <input type="checkbox"/> Yes When_ _____ Method: _____ Email _____ _____ <input type="checkbox"/> No | | |

ANNEX C: CONTRACT CLAUSES TO BE INCLUDED IN CONTRACTOR'S AGREEMENTS AND CODES OF CONDUCT

- **Company Code of Conduct**
- **Manager's Code of Conduct**
- **Individual Code of Conduct**
- **GBV, SHEA and VAC Action Plan**

The rules, including specific prohibitions and construction management measures, should be incorporated into all relevant bidding documents, contracts, and work orders.

Prohibitions: The following activities should be prohibited on or near the project site:

- Cutting of trees for any reason outside the approved construction area
- Hunting, fishing, wildlife capture, or plant collection
- Use of unapproved toxic materials
- Disturbance to anything with architectural or historical value
- Setting of fires
- Use of firearms (except authorized security guards)
- Use of alcohol or drugs by workers
- Employment of children in accordance with international law and the Children's Act.

Construction Management Measures:

Waste Management:

- Minimize the production of waste that must be treated or eliminated.
- Identify and classify the type of waste generated. If hazardous wastes are generated, proper procedures must be taken regarding their storage, collection, transportation and disposal.
- Identify and demarcate disposal areas clearly indicating the specific materials that can be deposited in each.
- Control placement of all construction waste (including earth cuts) to approved disposal sites. Dispose in authorized areas all of garbage, metals, used oils, and excess material generated during construction, incorporating recycling systems and the separation of materials.
- Establish and enforce daily site clean-up procedures, including maintenance of adequate disposal facilities for construction debris.

Maintenance:

- Ensure that all equipment maintenance activities, including oil changes, are conducted within demarcated maintenance areas; never dispose spent oils on the ground, in water courses, drainage canals or in sewer systems.
- Identify, demarcate and enforce the use of within-site access routes to limit impact to site vegetation.

Labour Health and Safety:

- Place signs and lighting at strategic locations informing community before works starts.
- Conduct safety training for construction workers prior to beginning work.
- Provide personal protective equipment and clothing (goggles, gloves, respirators, dust masks, hard hats, steel-toed boots etc.,) for construction workers and enforce their use.
- During heavy rains or emergencies of any kind, suspend all work.

- Safely store hazardous items away from the public.
- Educate on risks and prevention of STD/STIs and GBV/VAC
- Erect Speed bumps and speed limits.
- Cover up trucks transporting sand and gravel

Community Safety during Construction:

The Contractor’s responsibilities include the protection of every person (workers and the public) and nearby property from construction accidents. The Contractor shall be responsible for complying with all national and local safety requirements and any other measures necessary to avoid accidents, including the following:

- Carefully and clearly mark pedestrian-safe access routes.
- If school children are in the vicinity, include traffic safety personnel to direct traffic.
- Keep the public away from construction sites

Nuisance and dust control should include:

- Maintain all construction-related traffic at minimum
- Maintain equipment and machinery to reduce noise
- In sensitive areas (including residential neighbourhoods, health centres, schools) more strict measures may need to be implemented to prevent undesirable noise levels, including controlled working times
- Minimize production of dust and particulate materials at all times, to avoid impacts on surrounding families and businesses
- Spray water as needed on dirt roads, cut areas and soil stockpiles or fill material.
- Apply proper measures to minimize disruptions from vibration or noise coming from construction activities.

Community Relations:

To enhance adequate community relations, the Contractor should:

- Inform the population about construction and work schedules, interruption of services, traffic detour routes as appropriate and inform the community about lodging grievances as per the GRM.
- Avoid construction activities at night.

Environmental and Social Supervision during Construction

The bidding documents should indicate how compliance with environmental rules and design specifications would be supervised, along with the penalties for noncompliance by Contractors or workers. Construction supervision requires oversight of compliance with the ESMP by the Contractor or his designated environmental supervisor.

The “Codes of Conduct and Action Plan for Implementing ESHS and OHS Standards, and Preventing Gender Based Violence (GBV) and Violence Against Children (VAC)” should be included in contracts and including procedures for reporting GBV.

Ensure accuracy of and keep all records of correspondence between the Contractors and project supervisors should be included in contracts.

The bidding documents should all indicate that Contractor will familiarize himself/herself with the GRM and inform project workers about grievance procedures.

Codes of Conduct and Action Plan For Implementing ESHS and OHS Standards, and Preventing Gender Based Violence and Violence Against Children

1. Background

The purpose of these *Codes of Conduct and Action Plan for Implementing ESHS and OHS Standards, and Preventing Gender Based Violence (GBV) and Violence Against Children (VAC)* is to introduce a set of key definitions, core Codes of Conduct, and guidelines that:

- i. clearly define obligations on all project staff (including sub-Contractors and day workers) with regard to implementing the project's environmental, social, health and safety (ESHS) and occupational health and safety (OHS) requirements, and.
- ii. help prevent, report and address GBV, SEA, SH and VAC within the work site and in its immediate surrounding communities.

The application of these Codes of Conduct will help ensure the project meets its ESHS and OHS objectives, as well as preventing and/or mitigating the risks of GBV, SEA, SH and VAC on the project and in the local communities.

These Codes of Conduct are to be adopted by those working on the project and are meant to:

- i. create awareness of the ESHS and OHS expectations on the project.
- ii. create common awareness about GBV, SEA, SH and VAC and:
 - (a) ensure a shared understanding that they have no place in the project; and,
 - (b) create a clear system for identifying, responding to, and sanctioning GBV, SEA, SH and VAC incidents.

Ensuring that all project staff understand the values of the project, understand expectations for all employees, and acknowledge the consequences for violations of these values, will help to create smoother, more respectful and productive project implementation thereby helping ensure that the project's objectives will be achieved.

2. Definitions

The following definitions apply:

Environmental, Social, Health and Safety (ESHS): an umbrella term covering issues related to the impact of the project on the environment, communities and workers.

Occupational Health and Safety (OHS): Occupational health and safety is concerned with protecting the safety, health and welfare of people engaged in work or employment. The enjoyment of these standards at the highest levels is a basic human right that should be accessible by each worker.

Gender-Based Violence (GBV): is an umbrella term for any harmful act that is perpetrated against a person's will and **that is based on socially ascribed (i.e., gender) differences between males and females**. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private. The term GBV is used to underscore systemic inequality between males and females (which exists in every society in the world) and acts as a unifying and foundational characteristic of most forms of violence perpetrated against women and girls. The 1993 United Nations Declaration on the Elimination of Violence against Women defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women."¹⁶ The six core types of GBV are:

¹⁶ It is important to note that women and girls disproportionately experience violence; overall 35 percent of women worldwide have faced physical or sexual violence (WHO, Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence, 2013). Some men and boys also face violence based on their gender and unequal power relationships.

- **Rape:** non-consensual penetration (however slight) of the vagina, anus or mouth with a penis, other body part, or an object.
- **Sexual Assault:** any form of non-consensual sexual contact that does not result in or include penetration. Examples include attempted rape, as well as unwanted kissing, fondling, or touching of genitalia and buttocks.
 - **Sexual Harassment:** is unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature. Sexual harassment is not always explicit or obvious, it can include implicit and subtle acts but always involves a power and gender dynamic in which a person in power uses their position to harass another based on their gender. Sexual conduct is unwelcomed whenever the person subjected to it considers it unwelcome (e.g., looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts).
 - **Sexual Favours** is a form of sexual harassment and includes making promises of favourable treatment (e.g., promotion) or threats of unfavourable treatment (e.g., loss of job) dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.
- **Physical Assault:** an act of physical violence that is not sexual in nature. Examples include hitting, slapping, choking, cutting, shoving, burning, shooting or use of any weapons, acid attacks or any other act that *results* in pain, discomfort or injury.
- **Forced Marriage:** the marriage of an individual against her or his will.
- **Denial of Resources, Opportunities or Services:** denial of rightful access to economic resources/assets or livelihood opportunities, education, health or other social services (e.g., a widow prevented from receiving an inheritance, earnings forcibly taken by an intimate partner or family member, a woman prevented from using contraceptives, a girl prevented from attending school, etc.).
- **Psychological / Emotional Abuse:** infliction of mental or emotional pain or injury. Examples include threats of physical or sexual violence, intimidation, humiliation, forced isolation, stalking, harassment, unwanted attention, remarks, gestures or written words of a sexual and/or menacing nature, destruction of cherished things, etc.

Violence Against Children (VAC): is defined as physical, sexual, emotional and/or psychological harm, neglect or negligent treatment of minor children (i.e., under the age of 18), including exposure to such harm,¹⁷ that results in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power. This includes using children for profit, labour¹⁸, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography.

Grooming: are behaviours that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).

Online Grooming: is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.¹⁹

Accountability Measures: are the measures put in place to ensure the confidentiality of survivors and to hold Contractors, consultants and the client responsible for instituting a fair system of addressing cases of GBV, SEA, SH and VAC.

¹⁷ Exposure to GBV is also considered VAC.

¹⁸ The employment of children must comply with all relevant local legislation, including labour laws in relation to child labour and World Bank’s safeguard policies on child labour and minimum age. They must also be able to meet the project’s Occupational Health and Safety competency standards.

Contractors Environmental and Social Management Plan (C-ESMP): the plan prepared by the Contractor outlining how they will implement the works activities in accordance with the project’s environmental and social management plan (ESMP).

Child: is used interchangeably with the term ‘minor’ and refers to a person under the age of 18. This is in accordance with Article 1 of the United Nations Convention on the Rights of the Child.

Child Protection (CP): is an activity or initiative designed to protect children from any form of harm, particularly arising from VAC.

Consent: is the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age.²⁰ Mistaken belief regarding the age of the child and consent from the child is not a defence.

Consultant: is as any firm, company, organization or other institution that has been awarded a contract to provide consulting services to the project and has hired managers and/or employees to conduct this work.

Contractor: is any firm, company, organization or other institution that has been awarded a contract to conduct infrastructure development works for the project and has hired managers and/or employees to conduct this work. This also includes sub-Contractors hired to undertake activities on behalf of the Contractor.

Employee: is any individual offering labour to the Contractor or consultant within country on or off the work site, under a formal or informal employment contract or arrangement, typically, but not necessarily (e.g., including unpaid interns and volunteers), in exchange for a salary, with no responsibility to manage or supervise other employees.

GBV, SEA, SH and VAC Allegation Procedure: is the prescribed procedure to be followed when reporting incidents of Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VAC).

GBV, SEA, SH and VAC Codes of Conduct: The Codes of Conduct adopted for the project covering the commitment of the company, and the responsibilities of managers and individuals with regards to GBV, SEA, SH and VAC.

GBV, SEA, SH and VAC Compliance Team (GCCT): a team established by the project to address GBV, SEA, SH and VAC issues.

Grievance Redress Mechanism (GRM): is the process established by a project to receive and address complaints.

Manager: is any individual offering labour to the Contractor or consultant, on or off the work site, under a formal or informal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a Contractor’s or consultant’s team, unit, division or similar, and to supervise and manage a pre-defined number of employees.

Perpetrator: the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV, SEA, SH and VAC.

Response Protocol: is the mechanisms set in place to respond to cases of GBV, SEA, SH and VAC (see Section 4.7 Response Protocol).

Survivor/Survivors: the person(s) adversely affected by GBV, or VAC. Women, men and children can be survivors of GBV; children can be survivors of VAC.

Work Site: is the area in which infrastructure development works are being conducted, as part of the project. Consulting assignments are considered to have the areas in which they are active as their work sites.

Work Site Surroundings: is the 'Project Area of Influence' which are any area, urban or rural, directly affected by the project, including all human settlements found on it.

3. Codes of Conduct

This chapter presents three Codes of Conduct for use:

- i. **Company Code of Conduct:** Commits the company to addressing GBV, SEA, SH and VAC issues.
- ii. **Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- iii. **Individual Code of Conduct:** Code of Conduct for everyone working on the project, including managers.

Company Code of Conduct
Implementing ESHS and OHS Standards
Preventing Gender Based Violence and Violence Against Children

The company is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment in which gender-based violence (GBV) and violence against children (VAC) have no place, and where they will not be tolerated by any employee, sub-Contractors, supplier, associate, or representative of the company.

Therefore, to ensure that all those engaged in the project are aware of this commitment, the company commits to the following core principles and minimum standards of behaviour that will apply to all company employees, associates, and representatives, including sub-Contractors and suppliers, without exception:

General

1. The company—and therefore all employees, associates, representatives, sub-Contractors and suppliers—commits to complying with all relevant national laws, rules and regulations.
2. The company commits to full implementing its ‘Contractors Environmental and Social Management Plan’ (C-ESMP).
3. The company commits to treating women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of GBV, SEA, SH and VAC are in violation of this commitment.
4. The company shall ensure that interactions with local community members are done with respect and non-discrimination.
5. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behaviour are prohibited among all company employees, associates, and its representatives, including sub-Contractors and suppliers.
6. The company will follow all reasonable work instructions (including regarding environmental and social norms).
7. The company will protect and ensure proper use of property (for example, to prohibit theft, carelessness or waste).

Health and Safety

8. The company will ensure that the project’s occupational health and safety (OHS) Management Plan is effectively implemented by company staff, as well as sub-Contractors and suppliers.
9. The company will ensure that all person’s on-site wear prescribed and appropriate personal protective equipment, preventing avoidable accidents and reporting conditions or practices that pose a safety hazard or threaten the environment.
10. The company will:
 - i. prohibit the use of alcohol during work activities.
 - ii. prohibit the use of narcotics or other substances which can impair faculties at all times.
11. The company will ensure that adequate sanitation facilities are available on site and at any worker accommodations provided to those working on the project.

Gender Based Violence and Violence Against Children

12. Acts of GBV, SEA, SH and VAC constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment, and if appropriate referral to the Police for further action.
13. All forms of GBV, SEA, SH and VAC, including grooming are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's Camps or within the local community.
 - i. Sexual Harassment—for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behaviour, is prohibited.
 - ii. Sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour are prohibited.
14. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
15. Unless there is full consent²¹ by all parties involved in the sexual act, sexual interactions between the company's employees (at any level) and members of the communities surrounding the workplace are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
16. In addition to company sanctions, legal prosecution of those who commit acts of GBV, or VAC will be pursued if appropriate.
17. All employees, including volunteers and sub-Contractors are highly encouraged to report suspected or actual acts of GBV, SEA, SH and VAC by a fellow worker, whether in the same company or not. Reports must be made in accordance with project's GBV, SEA, SH and VAC Allegation Procedures.
18. Managers are required to report and act to address suspected or actual acts of GBV, SEA, SH and VAC as they have a responsibility to uphold company commitments and hold their direct reports responsible.

Implementation

To ensure that the above principles are implemented effectively the company commits to ensuring that:

19. All managers sign the project's 'Manager's Code of Conduct' detailing their responsibilities for implementing the company's commitments and enforcing the responsibilities in the 'Individual Code of Conduct'.
20. All employees sign the project's 'Individual Code of Conduct' confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in GBV, SEA, SH and VAC.
21. Displaying the Company and Individual Codes of Conduct prominently and in clear view at workers' Camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
22. Ensure that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
23. An appropriate person is nominated as the company's 'Focal Point' for addressing GBV, SEA, SH and VAC issues, including representing the company on the GBV, SEA, SH and VAC Compliance Team (GCCT) which is comprised of representatives from the client, Contractor(s), the supervision consultant, and local service provider(s).
24. Ensuring that an effective GBV, SEA, SH and VAC Action Plan is developed in consultation with the GCCT which includes as a minimum:

²¹ **Consent** is defined as the informed choice underlying an individual's free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

- i. **GBV, SEA, SH and VAC Allegation Procedure** to report GBV, SEA, SH and VAC issues through the project Grievance Redress Mechanism (Section 4.3 Action Plan).
- ii. **Accountability Measures** to protect confidentiality of all involved (Section 4.4 Action Plan); and,
- iii. **Response Protocol** applicable to GBV, SEA, SH and VAC survivors and perpetrators (Section 4.7 Action Plan).

- 25. That the company effectively implements the agreed final GBV, SEA, SH and VAC Action Plan, providing feedback to the GCCT for improvements and updates as appropriate.
- 26. All employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company's commitments to ESHS and OHS standards, and the project's GBV, SEA, SH and VAC Codes of Conduct.
- 27. All employees attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's ESHS and OHS standards and the GBV, SEA, SH and VAC Code of Conduct.

I do hereby acknowledge that I have read the foregoing Company Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV, SEA, SH and VAC. I understand that any action inconsistent with this Company Code of Conduct or failure to act mandated by this Company Code of Conduct may result in disciplinary action.

Company name: _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Manager's Code of Conduct
Implementing ESHS and OHS Standards
Preventing Gender Based Violence and Violence Against Children

Managers at all levels have a responsibility to uphold the company's commitment to implementing the ESHS and OHS standards, and preventing and addressing GBV, SEA, SH and VAC. This means that managers have an acute responsibility to create and maintain an environment that respects these standards and prevents GBV, and VAC. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and sign the Individual Code of Conduct. This commits them to supporting the implementation of the C-ESMP and the OHS Management Plan and developing systems that facilitate the implementation of the GBV, SEA, SH and VAC Action Plan. They need to maintain a safe workplace, as well as a GBV-free and VAC-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

Implementation

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
 - i. Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' Camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
 - ii. Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. Ensure that:
 - i. All direct reports sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
 - ii. Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Manager, the GCCT, and the client.
 - iii. Participate in training and ensure that staff also participate as outlined below.
 - iv. Put in place a mechanism for staff to:
 - (a) report concerns on ESHS or OHS compliance; and,
 - (b) confidentially report GBV, SEA, SH and VAC incidents through the Grievance Redress Mechanism (GRM)
 - v. Staff are encouraged to report suspected or actual ESHS, OHS, GBV, SEA, SH and VAC issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.
4. In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees.
5. Ensure that when engaging in partnership, sub-Contractor, supplier or similar agreements, these agreements:
 - i. Incorporate the ESHS, OHS, GBV, SEA, SH and VAC Codes of Conduct as an attachment.
 - ii. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
 - iii. Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against GBV, SEA, SH and VAC, to investigate allegations thereof, or to take corrective actions when GBV, SEA, SH and VAC has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project.
6. Provide support and resources to the GCCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the GBV, SEA, SH and VAC Action Plan.
7. Ensure that any GBV, SEA, SH and VAC issue warranting Police action is reported to the Police, the client and the World Bank immediately.

8. Report and act according to the response protocol (Section 4.7 Response Protocol) any suspected or actual acts of GBV, SEA, SH and VAC as managers have a responsibility to uphold company commitments and hold their direct reports responsible.
9. Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately.

Training

10. The managers are responsible to:
 - i. Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-Contractors and suppliers; and,
 - ii. Ensure that staff have a suitable understanding of the C-ESMP and are trained as appropriate to implement the C-ESMP requirements.
11. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV, SEA, SH and VAC elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the GBV, SEA, SH and VAC Action Plan for addressing GBV, SEA, SH and VAC issues.
12. Managers are required to attend and assist with the project facilitated monthly training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations, including collecting satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.
13. Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:
 - i. OHS and ESHS; and,
 - ii. GBV, SEA, SH and VAC required of all employees.
14. During civil works, ensure that staff attend ongoing OHS and ESHS training, as well as the monthly mandatory refresher training course required of all employees to combat increased risk of GBV, SEA, SH and VAC.

Response

15. Managers will be required to take appropriate actions to address any ESHS or OHS incidents.
16. With regard to GBV, SEA, SH and VAC:
 - i. Provide input to the GBV, SEA, SH and VAC Allegation Procedures (Section 4.2 Action Plan) and Response Protocol (Section 4.7 Action Plan) developed by the GCCT as part of the final cleared GBV, SEA, SH and VAC Action Plan.
 - ii. Once adopted by the Company, managers will uphold the Accountability Measures (Section 4.4 Action Plan) set forth in the GBV, SEA, SH and VAC Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV, SEA, SH and VAC (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
 - iii. If a manager develops concerns or suspicions regarding any form of GBV, SEA, SH and VAC by one of his/her direct reports, or by an employee working for another Contractor on the same work site, s/he is required to report the case using the GRM.
 - iv. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made
 - v. If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the respective company and the GCCT. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
 - vi. Ensure that any GBV, SEA, SH and VAC issue warranting Police action is reported to the Police, the client and the World Bank immediately
17. Managers failing address ESHS or OHS incidents or failing to report or comply with the GBV, SEA, SH and VAC provisions may be subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:

- i. Informal warning.
 - ii. Formal warning.
 - iii. Additional Training.
 - iv. Loss of up to one week's salary.
 - v. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
 - vi. Termination of employment.
18. Ultimately, failure to effectively respond to ESHS, OHS, GBV, SEA, SH and VAC cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV, SEA, SH and VAC requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Individual Code of Conduct
Implementing ESHS and OHS Standards
Preventing Gender Based Violence and Violence Against Children

I, _____, acknowledge that adhering to environmental, social health and safety (ESHS) standards, following the project’s occupational health and safety (OHS) requirements, and preventing gender-based violence (GBV) and violence against children (VAC) is important.

The company considers that failure to follow ESHS and OHS standards, or to partake in GBV, SEA, SH and VAC activities—be it on the work site, the work site surroundings, at workers’ Camps, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit GBV, or VAC may be pursued if appropriate.

I agree that while working on the project I will:

1. Attend and actively partake in training courses related to ESHS, OHS, HIV/AIDS, GBV, SEA, SH and VAC as requested by my employer.
2. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
3. Take all practical steps to implement the Contractor’s environmental and social management plan (C-ESMP).
4. Implement the OHS Management Plan.
5. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
6. Consent to Police background check.
7. Treat women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
8. Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
9. Not engage in sexual harassment—for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behaviour (e.g., looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody’s sex life; etc.).
10. Not engage in sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.
11. Not participate in sexual contact or activity with children—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
12. Unless there is the full consent²² by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
13. Consider reporting through the GRM or to my manager any suspected or actual GBV, SEA, SH and VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18:

14. Wherever possible, ensure that another adult is present when working in the proximity of children.

²² **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

15. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
16. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also "Use of children's images for work related purposes" below).
17. Refrain from physical punishment or discipline of children.
18. Refrain from hiring children for domestic or other labour below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.
19. Comply with all relevant local legislation, including labour laws in relation to child labour and World Bank's safeguard policies on child labour and minimum age.
20. Take appropriate caution when photographing or filming children (See Annex 2 for details).

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

21. Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
22. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
23. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
24. Ensure images are honest representations of the context and the facts.
25. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

1. Informal warning.
2. Formal warning.
3. Additional Training.
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.
7. Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviours that could be construed as GBV, SEA, SH and VAC. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV, SEA, SH and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

GBV, SHEA and VAC Action Plan

1. The GBV, SHEA and VAC Compliance Team

The project shall establish a 'GBV, SHEA and VAC Compliance Team' (GCCT). The GCCT will include, as appropriate to the project, at least four representatives ('Focal Points') as follows:

- i. A safeguards specialist from the client.
- ii. The occupational health and safety manager from the Contractor²³, or someone else tasked with the responsibility for addressing GBV, SEA, SH and VAC with the time and seniority to devote to the position.
- iii. The supervision consultant; and,
- iv. A representative from a local service provider with experience in GBV, SEA, SH and VAC (the 'Service Provider').

It will be the duty of the GCCT with support from the management of the Contractor to inform workers about the activities and responsibilities of the GCCT. To effectively serve on the GCCT, members must undergo training by the local service provider prior to the commencement of their assignment to ensure that they are sensitized on GBV, SEA, SH and Child Protection.

The GCCT will be required to:

- i. Approve any changes to the **GBV, SEA, SH and VAC Codes of Conduct** contained in this document, with clearances from the World Bank for any such changes.
- ii. Prepare the **GBV, SEA, SH and VAC Action Plan** reflecting the Codes of Conduct which includes:
 - (a) **GBV, SEA, SH and VAC Allegation Procedures**
 - (b) **Accountability Measures**
 - (c) **An Awareness raising Strategy**
 - (d) **A Response Protocol**
- iii. Obtain approval of the GBV, SEA, SH and VAC Action Plan by the Contractor's management.
- iv. Obtain client and World Bank clearances for the GBV, SEA, SH and VAC Action Plan prior to full mobilization.
- v. Receive and monitor resolutions and sanctions regarding complaints received related to GBV, SEA, SH and VAC associated with the project; and,
- vi. Ensure that GBV, SEA, SH and VAC statistics in the GRM are up to date and included in the regular project reports.

The GCCT shall hold quarterly update meetings to discuss ways to strengthen resources and GBV, SEA, SH and VAC support for employees and community members.

2. Making Complaints: GBV, SEA, SH and VAC Allegation Procedures

All staff, volunteers, consultants and sub-Contractors are encouraged to report suspected or actual GBV, SEA, SH and VAC cases. Managers are required to report suspected or actual GBV, SEA, SH and VAC cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

The project will provide information to employees and the community on how to report cases of GBV, SEA, SH and VAC Code of Conduct breaches through the Grievance Redress Mechanism (GRM). The GCCT will follow up on cases of GBV, VAC and Code of Conduct breaches reported through the GRM.

²³ Where there are multiple Contractors working on the project, each shall nominate a representative as appropriate.

3. Addressing Complaints about GBV, SEA, SH and VAC

GRM

The project operates a grievance redress mechanism (GRM) which is managed by a designated GRM operator with the project management unit. Reports of GBV, SEA, SH and VAC, other complaints, or other concerns may be submitted online, via telephone or mail, or in person.

All complaints regarding GBV, and VAC must immediately be reported to the World Bank task team by the GRM operator.

The GRM operator will refer complaints related to GBV, SEA, SH and VAC to the GCCT to resolve them. In accordance with the GBV, SEA, SH and VAC Action Plan, the GCCT through the Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GRM operator with a resolution to the complaint, or the Police if necessary. The victim's confidentiality should also be kept in mind when reporting any incidences to the Police.

The GRM operator will, upon resolution, advise the complainant of the outcome, unless it was made anonymously. Complaints made to managers, or the Service Provider will be referred by them to the GRM for processing.

If the complaint to the GRM is made by a survivor or on behalf of a survivor, the complainant will be directly referred to the service provider to receive support services while the GCCT investigates the complaint in parallel.

Service Provider

The Service Provider is a local organization which has the experience and ability to support survivors of GBV, SEA, SH and VAC. The client, the Contractor(s) and consultant must establish a working relationship with the Service Provider, so that GBV, SEA, SH and VAC cases can safely be referred to them. The Service Provider will also provide support and guidance to the GBV, SEA, SH and VAC Focal Points as necessary. The Service Provider will have a representative on the GCCT and be involved in resolving complaints related to GBV, SEA, SH and VAC.

GCCT GBV, SEA, SH and VAC Focal Points

The GCCT shall confirm that all complaints related to GBV, or VAC have been referred to the World Bank by the GRM operator.

The GCCT shall consider all GBV, SEA, SH and VAC complaints and agree on a plan for resolution. The appropriate

Focal Point will be tasked with implementing the plan (i.e., issues with Contractor's staff will be for the Contractor to resolve; consultant's staff the consultant; and client staff the client). The Focal Point will advise the GCCT on resolution, including referral to the Police if necessary. They will be assisted by the Service Provider as appropriate.

All the Focal Points on the GCCT must be trained and empowered to resolve GBV, SEA, SH and VAC issues. It is essential that all staff of the GRM and GCCT understand the guiding principles and ethical requirement of dealing with survivors of GBV, SEA, SH and VAC. All reports should be kept confidential and referred immediately to the Service Provider represented on the GCCT²⁴. In GBV, SEA, SH and VAC cases warranting Police action, the Focal Points must appropriately refer the complaint to: (i) the authorities; (ii) the Service Provider; and (iii) management for further action. The client and the World Bank are to be immediately notified.

²⁴ Survivors of GBV, SEA, SH and VAC may need access to Police, justice, health, psychosocial, safe shelter and livelihood services to begin on a path of healing from their experience of violence.

4. Accountability Measures

All reports of GBV, SEA, SH and VAC shall be handled in a confidential manner to protect the rights of all involved. The client, Contractor and consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law). The Contractor and consultant must prohibit discrimination or adverse action against an employee because of survivor's disclosure, experience or perceived experience of GBV, SEA, SH and VAC.

To ensure that survivors feel confident to disclose their experience of GBV, SEA, SH and VAC, they can report cases of GBV, SEA, SH and VAC through multiple channels: (i) online, (ii) phone, (iii) in-person, (iv) the local service provider, (v) the manager(s), (vi) village councils; or (vii) the Police. To ensure confidentiality, only the service provider will be privy to information regarding the survivor. The GCCT will be the primary point of contact for information and follow up regarding the perpetrator.

5. Monitoring and Evaluation

The GCCT must monitor the follow up of cases that have been reported and maintain all reported cases in a confidential and secure location. Monitoring must collect the number of cases that have been reported and the share of them that are being managed by Police, NGOs etc.

These statistics shall be reported to the GRM and the Supervision Engineer for inclusion in their reporting.

For any GBV, SEA, SH and VAC cases warranting Police action, the client and the World Bank are to be immediately notified.

6. Awareness-raising Strategy

It is important to create an Awareness-Raising Strategy with activities aimed to sensitize employees on GBV, SEA, SH and VAC on the work site and its related risks, provisions of the GBV, SEA, SH and VAC Codes of Conduct, GBV, SEA, SH and VAC Allegation Procedures, Accountability Measures and Response Protocol. The strategy will be accompanied by a timeline, indicating the various sensitization activities through which the strategy will be implemented and the related (expected) delivery dates. Awareness-raising activities should be linked with trainings provided by the Service Provider.

7. Response Protocol

The GCCT will be responsible for developing a written response²⁵ protocol to meet the project requirements, in accordance with national laws and protocols. The response protocol must include mechanisms to notify and respond to perpetrators in the workplace (See 4.9 for Perpetrator Policy and Response). The response protocol will include the GRM process to ensure competent and confidential response to disclosures of GBV, SEA, SH and VAC. An employee who discloses a case of GBV, SEA, SH and VAC in the workplace shall be referred to the GRM for reporting.

8. Survivor Support Measures

It is essential to appropriately respond to the survivor's complaint by respecting the survivor's choices to minimize the potential for re-traumatization and further violence against the survivor. Refer the survivor to the Service Provider to obtain appropriate support services in the community—including medical and psychosocial support, emergency accommodation, security including Police protection and livelihood support—by facilitating contact and coordination with these services. The client, Contractor or consultant may, where feasible, provide financial and other supports to survivors of GBV, SEA, SH and VAC for these services.

If the survivor is an employee, to ensure the safety of the survivor, and the workplace in general, the client, Contractor or consultant, in consultation with the survivor, will assess the risk of ongoing abuse to the survivor and in the workplace. Reasonable adjustments will be made to the survivor's work schedule and work

²⁵ Develop appropriate protocol for written recording of GBV issues and VAC raised in case the notes are subpoenaed. Develop processes for record keeping including activities undertaken by the GCCT.

environment as deemed necessary. The employer will provide adequate leave to survivors seeking services after experiencing violence.

9. Perpetrator Policy and Response

Encourage and accept notification through the GRM from employees and community members about perpetrators in the workplace. Through the GCCT and/or the Service Provider, oversee the investigation of these grievances, ensuring procedural fairness for the accused, and within the local laws. If an employee has breached the Code of Conduct, the employer will act which could include:

- i. Undertake disciplinary action up in accordance with sanctions in the GBV, SEA, SH and VAC Codes of Conduct.
- ii. Report the perpetrator to the Police as per local legal paradigms; and/or
- iii. If feasible, provide or facilitate counselling for the perpetrator.

10. Sanctions

In accordance with the Code of Conduct, any employee confirmed as a GBV, or VAC perpetrator shall be considered for disciplinary measures in line with sanctions and practices as agreed in the Individual Code of Conduct. It is important to note that, for each case, disciplinary sanctions are intended to be part of a process that is entirely internal to the employer, is placed under the full control and responsibility of its managers and is conducted in accordance with the applicable national labour legislation.

Such process is expected to be fully independent from any official investigation that competent authorities (e.g., Police) may decide to conduct in relationship to the same case, and in accordance with the applicable national law. Similarly, internal disciplinary measures that the employer's managers may decide to enact are meant to be separate from any charges or sanctions that the official investigation may result into (e.g., monetary fines, detention etc.).

Potential Procedures for Addressing GBV, SEA, SH and VAC

Accountability Measures to maintain confidentiality can be achieved through the following actions:

1. Inform all employees that confidentiality of GBV/VAC survivors' personal information is of utmost importance.
2. Provide the GCCT with training on empathetic and non-judgmental listening.
3. Take disciplinary action, including and up to dismissal, against those who breach survivor's confidentiality (this is unless a breach of confidentiality is necessary to protect the survivor or another person from serious harm, or where required by law).

GBV, SEA, SH and VAC Allegation Procedures should specify:

1. Who survivors can seek information and assistance from.
2. The process for community members and employees to lodge a complaint through the GRM should there be alleged GBV, SEA, SH and VAC.
3. The mechanism for how community members and employees can escalate a request for support or notification of violence if the process for reporting is ineffective due to unavailability or non-responsiveness, or if the employee's concern is not resolved.

Financial and Other Supports to survivors can include:

1. Direct payment of medical costs.
2. Coverage of all medical costs related specifically to the incident.
3. Upfront payments for medical costs to later be recouped from the employee's health insurance.
4. Providing or facilitating access to childcare.
5. Providing security upgrades to the employee's home.
6. Providing safe transportation to access support services or to and from accommodation.

Based on the rights, needs and wishes of the survivor, survivor support measures to ensure the safety of the

survivor who is an employee can include²⁶:

1. Changing the perpetrator or survivor's span of hours or pattern of hours and/or shift patterns.
2. Redesigning or changing the perpetrator or survivor's duties.
3. Changing the survivor's telephone number or email address to avoid harassing contact.
4. Relocating the survivor or perpetrator to another work site/ alternative premises.
5. Providing safe transportation to and from work for a specified period.
6. Supporting the survivor to apply for an Interim Protection Order or referring them to appropriate support.
7. Taking any other appropriate measures including those available under existing provisions for family friendly and flexible work arrangements.

Leave options for survivors that are employees can include:

1. An employee experiencing GBV should be able to request paid special leave to attend medical or psychosocial appointments, legal proceedings, relocation to safe accommodation and other activities related to GBV.
2. An employee who supports a person experiencing GBV, SEA, SH and VAC may take care givers leave, including but not limited to accompanying them to court or hospital, or to take care of children.
3. Employees who are employed in a casual capacity may request unpaid special leave or unpaid care givers leave to undertake the activities described above.
4. The amount of leave provided will be determine by the individual's situation through consultations with the employee, the management and the GCCT where appropriate.

Potential Sanctions to employees who are perpetrators of GBV, and VAC include:

1. Informal warning
2. Formal warning
3. Additional Training
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.

Referral to the Police or other authorities as warranted

²⁶ It is critical that a survivor centered approach be adopted. The survivor should be fully involved in the decision making. Except for exceptional circumstances the perpetrator should be required to take appropriate actions to accommodate the survivor (e.g., move, change hours, etc.), rather than the survivor changing.

ANNEX C: CHANCE FIND PROCEDURES

In case culturally valuable materials are uncovered during excavation:

- Stop work immediately following the discovery of any materials with possible archaeological, historical, paleontological, or other cultural value, announce findings to project manager and notify the PCU who in turn notifies the Department of National Museum and Monuments
- Protect artefacts as well as possible, using plastic covers or marking off the area, and implement measures to stabilize the area, if necessary
- Prevent unauthorized access to the artefacts
- Restart construction works only upon the authorization of the relevant authorities.