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**BOTSWANA EMERGENCY WATER SECURITY AND EFFICIENCY  
PROJECT**

**BOTETI SOUTHERN AND CENTRAL CLUSTER VILLAGES WATER  
SUPPLY SCHEME**

**VULNERABLE COMMUNITY PLAN (VCP)  
FOR KEDIA AND XERE**

**SEPTEMBER 2022**

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## LIST OF ABBREVIATIONS

ACHPR	African Commission on Human and Peoples Rights
ARV	Anti-Retroviral
BEWSEP	Botswana Emergency Water Security and Efficiency Project
BOS	Botswana Bureau of Standards
BPC	Botswana Power Corporation
CBO	Community Based Organization
COVID-19	Coronavirus Disease 2019
CLO	Community Liaison Officer
CSO	Civil Society Organization
DEA	Department of Environmental Affairs
DNMM	Department of National Museum and Monuments
DWMPC	Department of Waste Management and Pollution Control
DWNP	Department of Wildlife and National Parks
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
GBV	Gender-based Violence
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
ISO	International Standard Organization
ISPAAD	Integrated Support Programme for Arable Agriculture Development
LIMID	Livestock Management and Infrastructure Development
MFEP	Ministry of Finance and Economic Development
MLMWS	Ministry of Land Management, Water and Sanitation
NGOs	Non-government Organisations
NSP	National Settlement Policy
PDL	Poverty Datum Line
PLO	Project Liaison Officer
PMTCT	Prevention of Mother to Child Treatment
RADP	Remote Area Development Programme
S&CD	Social and Community Development
SDGs	Sustainable Development Goals
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
SPSS	Statistical Package for Social Sciences
STI/STD	Sexual Transmitted Infections/Diseases
VAC	Violence Against Children
VDC	Village Development Committee
VCP	Vulnerable Community Plan
VC (VCs)	Vulnerable Community (Vulnerable Communities)
WUC	Water Utilities Corporation
TB	Tuberculosis
TOR	Terms of Reference
UN	United Nations
UNDRIP	UN Declaration on the Rights of Indigenous Peoples

## GLOSSARY

**Affected Persons:** All persons who, as result of work carried out or to be carried out under the Project, would incur involuntary loss, temporarily or permanently, of land, shelter, productive assets, or access to productive assets, or of income or means of livelihood and, as consequence, would have their living standards or production levels adversely affected.

**Badimo:** People who believe in ancestral gods and spirits. It is synonymous to African Traditional Religion.

**Basarwa:** A general name given to a family of click dialects spoken by a segment of the Tswana Society of the Hunting and gathering origin, who used to live a nomadic life. It comprises around 8 dialects in Botswana. These have been relocated and resettled to integrate them in the larger Tswana Society.

**Compensation:** Payment in cash or in kind for an assets or resource that is acquired or Affected by a project at the time the asset needs to be replaced.

**COVID-19:** In late December 2019, investigation of a cluster of pneumonia cases of unknown origin in Wuhan, China resulted in identification of a novel coronavirus. The virus is distinct from both severe acute respiratory syndrome coronavirus (SARS-CoV) and Middle East respiratory syndrome coronavirus (MERS-CoV), although closely related. Epidemiologic evidence suggests that the virus is more contagious than its predecessors. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2 or COVID-19) is a newly identified pathogen and it is assumed there is no existing human immunity to the virus. Everyone is assumed to be susceptible, although there may be risk factors that increase an individual's illness severity. While some people who contract COVID-19 are asymptomatic, in other cases, the illness can lead to death. Some clinical criteria include chills, rigors, myalgia, headache, sore throat, new olfactory and taste disorder(s), cough, shortness of breath, or difficulty breathing, clinical or radiographic evidence of pneumonia, and acute respiratory distress syndrome (ARDS).

**DiKgosi:** Plural for Kgosi or Traditional leader or Chief of a Ward/Village.

**Displaced Persons.** The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets.

**Economic Displacement:** Loss of income streams or means of livelihood resulting from Land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.

**Gender-based Violence:** 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. GBV is both a result of gender inequality and is a manifestation of unequal power relations between men and women.

**Grievance Procedures (including Grievance Mechanism or GM):** The processes established under law, local regulations, or administrative decision to enable project-affected people, property owners and other displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement or pertaining to social and environmental concerns and issues related to the implementation (and all phases) of the project. In Bank funded projects, such procedures are implemented at project-level to address project-level concerns and issues, and improve sustainability and community engagement in the project, but does not preclude the use of other administrative processes.

**Host Community (Hosts):** The population in the areas receiving resettles is called the host community or the hosts.

**Ipelegeng:** A Government of Botswana unemployment relief programme offering a source of employment for the semi-skilled and unskilled Batswana<sup>1</sup>

**Kgosi:** Traditional leader or chief of a ward/village.

**Kgotla Meeting:** A public meeting held at the Kgotla, in the presence of a Kgosi or his representative. All individuals are encouraged to speak freely and openly. It upholds the idea of equality.

**Kgotla (Customary Court):** A traditional place for community meetings and disputes hearings. The meetings and hearings are led by Kgosi and is a place where everybody is allowed to voice out his/her opinions and concerns.

**Kitso:** Information or Knowledge.

**Land Acquisition:** The process of acquiring land under the legally mandated procedures of eminent domain.

**Land Expropriation:** The process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for a public purpose, in return with compensation at replacement value.

**Matimela:** stray animals which are collected, retained within matimela kraals and where applicable, sold (Matimela Order, 2010 and Matimela Regulations, 2019)

**Monitoring:** The process of repeated observations and measurements of environmental and social quality parameters to assess and enable changes over a period.

**Population Census:** A complete and accurate count of the population that will be affected by land acquisition and related impacts. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation.

**Primary Stakeholders:** Are those most directly affected in resettlement situations, the population that loses property or income because of the project and host communities. Other

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<sup>1</sup> Source <https://cms1.gov.bw/social-upliftment-programme/ipelegeng-unemployment-relief>



people who have an interest in the project such as the project authority itself, the beneficiaries of the project (e.g., urban consumers for a hydro-power project), and interested NGOs are termed secondary stakeholders.

**Project Affected Household:** All members of a household, whether related or not, operating as a single economic unit, who are affected by a project

**Project Affected Persons/Family:** Any person or persons/family who, for reasons of the involuntary taking or voluntary contribution of their land and other assets under the project, suffer direct economic and or social adverse impacts, regardless of whether the said project affected persons physically relocate. These people may have their: i) standard of living adversely affected, whether or not the project affected person must move to another location; ii) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected; iii) access to productive assets adversely affected, temporarily or permanently; or iv) business, occupation, work or place of residence or habitat adversely affected.

**Rehabilitation/Resettlement (Livelihood Assistance):** The provision of development assistance in addition to compensation such as land preparation, credit facilities, training or job opportunities needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

**Remote Area Dwellers/Communities:** People who live outside established villages and settlements which are located 15km from major villages or urban settlements and do not have access to basic social amenities and are generally socially and economically marginalized. People residing in the remote areas are mostly the poorest of the society. Basarwa make a high percentage of this population, 72% according to Hitchcock (1992).

**Remote Area Settlements:** Settlements which are a minimum of 15km away from major settlements or urban settlements.

**Resettlement:** The process of moving people to a different place to live because of a development project in their area. The World Bank Group Operational Policy on Involuntary Resettlement. OP4.12 embodies the basic principles and procedures that underlie the World Bank's approach to Involuntary Resettlement associated with its investment project.

**Resettlement Action Plan (RAP):** The document in which the responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project. RAPs are prepared by the Government to address such impacts. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.

**Resettlement Entitlements:** The sum of compensation and other forms of assistance provided to displaced persons in the respective eligibility category.

**Sesarwa:** Vernacular language spoken by the Basarwa or Sans in Botswana. It comprises of other dialects being Naro, Sekaukau, Qgoo Dxana and Deui.

**Setswana:** Official language of Botswana in addition to English

**Sexual Abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual Exploitation:** Any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. In World Bank financed operations, sexual exploitation occurs when access to or benefit from a World bank financed good or services is used to extract sexual gain.

**Sexual Harassment:** Any unwelcome sexual advances, request for sexual favors, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment.

**Sexual Harassment (SH) versus Sexual Exploitation and Abuse (SEA):** Sexual Exploitation and Abuse occurs against a beneficiary or member of the community. Sexual harassment occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. The distinction between the two is important so that agency policies and staff trainings can include specific instruction on the procedures to report each.

**Social Impact:** An effect (both positive and negative) on a social issue resulting from development projects.

**Socio-Economic Survey (SES):** A complete and accurate survey of the project-affected population. The survey focuses on income-earning activities and other socioeconomic indicators.

**Social Impacts and Risks:** These include (i) threats to human security through the escalation of personal, communal or interstate conflict, crime or violence; (ii) risks that project impacts fall disproportionately on individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable; (iii) any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of those who may be disadvantaged or vulnerable; (iv) negative economic and social impacts relating to the involuntary taking of land or restrictions on land use; (v) risks or impacts associated with land and natural resource tenure and use, including (as relevant) potential project impacts on local land use patterns and tenurial arrangements, land access and availability, food security and land values, and any corresponding risks related to conflict or contestation over land and natural resources; (vi) impacts on the health, safety and well-being of workers and project-affected communities.

**Stakeholders:** A broad term that covers all parties affected by or interested in a project or a specific issue, in other words, all parties who have a stake in a particular issue or initiative.

**Tandabala:** The common name used to refer to monthly old age pension paid to all sixty-five (65) years and over elderly. Literally translated, it means “receive while seated”.

**Target Communities:** This refers to Basarwa in the project villages.

**Violence Against Children (VAC):** Physical, sexual, neglect or negligent treatment of children under the age of 18. Violence against children can manifest itself almost anywhere in the home, within the community and at the workplace.

**Vulnerable Communities:** A term that refers to Basarwa communities in the Botswana Emergency Water Security and Efficiency Project. They are social groups with identities that are often distinct from dominant groups in their national societies, are frequently among the most marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limits their capacity to defend their interests in and rights to lands, territories, and other productive resources, and/or restricts their ability to participate in and benefit from development. In line with the World Bank’s Indigenous Peoples Policy (OP4.10), vulnerable communities (IPs) refers to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (d) an indigenous language, often different from the official language of the country or region.

**Vulnerable Groups or Individuals:** Those who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, religious affiliation, social status, or other characteristics may be more adversely affected by project impacts. This is distinguished from vulnerable communities which refers to those groups which meet the criteria under OP4.10.

**Vulnerable Communities Plan:** A plan that outlines culturally appropriate impact prevention for a project and where impacts on vulnerable communities are unavoidable, mitigation measures as well as identity opportunities to maximize sustainable benefits to the indigenous community beyond the life of the project.

## 1. INTRODUCTION

Botswana has been faced with low water security, low service coverage and high-water shortages that impacted negatively on the lives of the people. In response to this, the Government is currently implementing the Botswana Water Security and Efficiency Project: 2017 – 2023, through a loan from the World Bank. This is expected to improve the quality of water supply in drought vulnerable areas, increase the efficiency of Water Utilities Corporation, (a government parastatal responsible for water supply and wastewater management) and strengthen wastewater management in selected systems.

The project has three (3) components and is implemented in different areas nationally.

**Component 1:** Improve availability of water supply and efficiency services.

**Component 2:** Improve wastewater and sludge management.

**Component 3:** Sector Reform and Institutional strengthening.

The Boteti Southern and Central Cluster Village Water Supply Scheme falls under Component 1 of the project. This project is likely to have significant environmental impacts that are very sensitive. The assessment of its proposed construction phase according to the World Bank environmental screening qualifies the project as “Category A”.

### 1.1 Project Objectives

The sub-project development objective is to improve availability of water supply in Boteti Southern and Central Cluster Villages. The current production capacity is 2,086 m<sup>3</sup>/day and it will be increased to 2,224 m<sup>3</sup>/day. The system is currently supplied by groundwater from Xago wellfield through six (6) low yielding boreholes. Seven (7) boreholes will be equipped to improve the pumping regime of the aquifer and improve its sustainability. The water within the region is brackish and has an odour (egg smelling) due to the presence of hydrogen sulphide. The pH for the water around the region is also significantly high. The settlements of Xere and Kedia are experiencing water shortages and rely on water being ferried by a water bowser twice in a week. The sub-project will therefore increase water supply and allow for the construction of a Reverse Osmosis (RO) treatment plant to improve drinking water quality in the region.

This Vulnerable Community Plan (VCP) has been prepared as per the requirements of World Bank Policy on Indigenous Peoples (OP 4.10). The term vulnerable communities are used in the context of Botswana to refer to ethnic groups (indigenous people) who meet the criteria under OP 4.10. The only conflict identified in the review of this legal framework is the use of the word “Indigenous”. The Government of Botswana understands the term “indigenous” in a way which differs from the World Bank and the African Commission on Human and Peoples’ Rights (ACHPR) Working Group on Indigenous Populations, and therefore would prefer not to use that term. However, to meet the Bank requirements under OP 4.10, the Bank has agreed that the term “Vulnerable Communities” can be used in its place for those communities who

meet the OP 4.10 criteria. The project will apply the requirements of OP 4.10 to Basarwa only because of their history of their relocation from the Central Kgalagadi Game Reserve to settle in one settlement for access of social services. This group were also, hunters and gatherers and living a nomadic life in the past which rendered them vulnerable and were not able to acquire livelihood assets like other Batswana communities. Other poor members of beneficiary communities are already catered for under the numerous Government social protection programmes in these villages.

The Basarwa (historically known as San) are present in Kedia and Xere settlements. There are however, Basarwa in few numbers residing across all the Boteti villages working either as house-helpers and shepherds. Kedia and Xere were singled out as it has Basarwa living as a community and this plan will be applicable to all Basarwa in the Boteti area. The social assessment conducted for the Boteti Southern and Central Cluster Villages determined that the settlements meet the criteria of Vulnerable Communities in the World Bank Indigenous Peoples Policy (OP 4.10). In addition, the villages are also termed as “vulnerable” in the Botswana context because of their remoteness and poverty levels as per the revised Remote Area Development Programme (RADP Policy (2009). This policy targets the poorest members of remote area communities, and targets Basarwa who live in remote settlements.

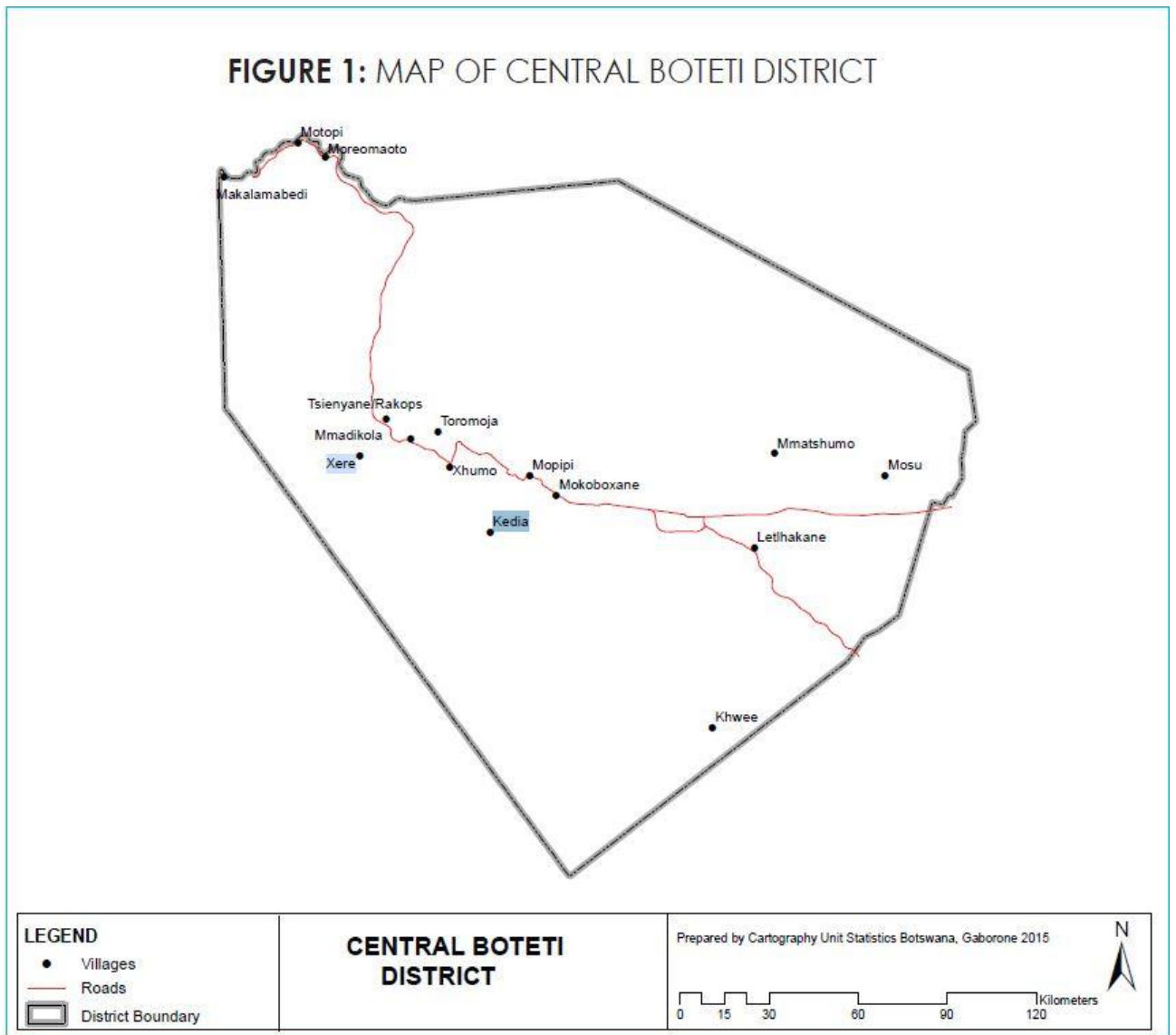
## **1.2 Project Beneficiaries**

The beneficiaries of the water supply scheme for this sub-project are communities and households of Mokoboxane, Rakops, Mopipi, Xhumo, Toromoja, Mmadikola, Kedia and Xere. The investment is expected to improve water supply for about 23,360 beneficiaries. This includes the 1,580 beneficiaries of Xere and Kedia.

## **1.3 Project Location**

The Boteti Southern and Central Cluster Villages are all located in the Boteti Sub-District which is a part of the Central District of Botswana. The water supply scheme covers eight (8) villages of Mokoboxane, Kedia, Rakops, Mopipi, Xhumo, Toromoja, Mmadikola and Xere. The villages are located between Maun and Letlhakane villages and accessible via the main tarred road connecting the two villages. **Figures 1 and 2** below show the villages in southern and central cluster villages of Boteti Sub-District and their location in the Botswana map.

**FIGURE 1: MAP OF CENTRAL BOTETI DISTRICT**



**Figure 1: Map of Central Boteti showing the location of Xere and Kedia**

*Source: Central Boteti District Population and Housing Census 2011, Selected Indicators*

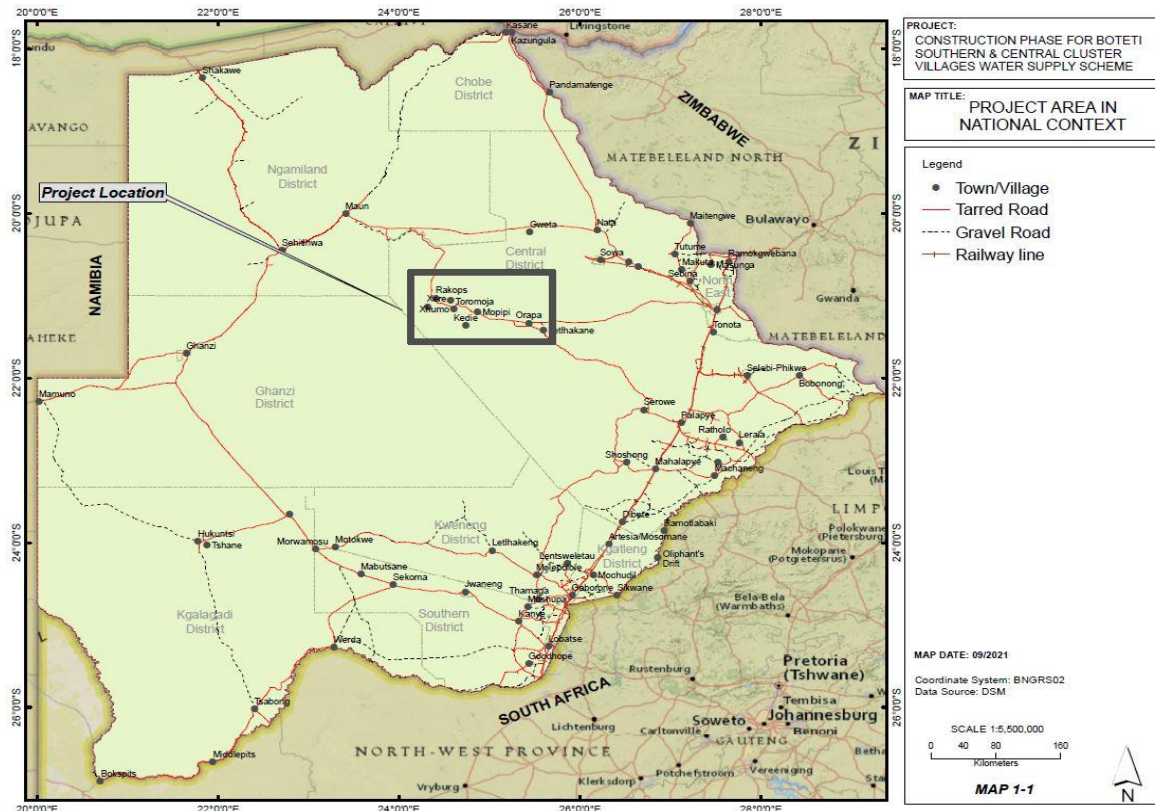


Figure 2: Location of Boteti South and Central Cluster Villages in the Map of Botswana

### 1.4 Project Description

The water supply scheme entails the equipping and electrification of 7 (seven) boreholes with a combined yield of 133m<sup>3</sup>/hr (Table 1), located to the south-east of Mokoboxane village. The boreholes are then to be connected to a proposed 250m<sup>3</sup> raw water collection storage tank from which the water would be gravitated to a proposed treatment plant facility north-west of Mokoboxane at about 18km from the raw water storage tank via a 250mm uPVC pipeline. The potable water will then be supplied to the 7 (seven) village cluster via gravity transmission mains except for the supply from Mokoboxane to Kedia and near Toromoja to Rakops and onwards to Xere where there will booster pump stations respectively to supply water to the different villages. The gravity mains range from 1km to 67km and pipe diameters from 90mm to 315mm uPVC.

Table 1: Project Borehole Data

BOREHOLE NO.	YIELD M <sup>3</sup> /H	PUMP INTAKE DEPTH (M)	REST WATER LEVEL (M)	LOCATION
BH 9640	50	70	15.15	Ranch NN 91
BH 9642	15	75	32.50	Ranch NO 52
BH 10149	15	105	47.27	Ranch NN 92
BH 10151	15	80	39.80	Ranch NO 53
BH 10159	8	90	46.20	Ranch NO 50
BH 10148	8	100	48.05	Ranch NN 77
BH 10162	7	100	51.00	Ranch NN 76
TOTAL	118m <sup>3</sup> /h			
	2,832m <sup>3</sup> /day			

## 1.5 Project Components

The key components of the proposed Boteti Southern and Central Cluster Villages Water Supply Scheme are as follows:

- Equipping and electrification of seven (7) boreholes (**Table 1**)
- Pipelines from the seven (7) boreholes to the collector storage tank.
- Pipeline from the collector storage tank to the Water Treatment Plant (WTP).
- Transmission mains from the water treatment plant to the elevated storage reservoirs at the villages.
- From the WTP to Kedia Reservoir with off-take to Mokoboxane Reservoir (28km long 160mm uPVC gravity line) with a booster station near Mokoboxane.
- From the WTP to Rakops Reservoir with off-takes to Mopipi, Xhumo, Toromoja and Mmadikola Reservoirs (67km long 315mm uPVC gravity line).
- Booster station near Toromoja to boost pressure to reach Rakops and Xere.
- From Rakops to Xere Reservoir (17km long 90mm uPVC pump fed transmission line).

## 1.6 Objectives of the VCP:

- To ensure that there is a free, prior, and informed consultation, with the vulnerable community during project preparation and implementation.
- To identify potential adverse effects of the project on the vulnerable communities and provide an appropriate action to mitigate against adverse effects.
- To ensure that the vulnerable communities (VCs) receive social and economic benefits that are culturally appropriate.
- To ensure that there are accessible procedures appropriate to the project to address grievances by the affected vulnerable communities from project implementation.
- To ensure that measures for timely grievance redress are in place.
- To ensure that measures to strengthen the capacity of implementing agencies at the central as well as the district level to address VCs issues are in place.
- To assess the possibility of involving local CBOs and NGOs with expertise in VCs issues.
- To ensure that there is adequate budget allocation for the plan.
- To monitor and evaluate performance of the plan.

## 1.7 Methodology

The preparation of this VCP included a mixed method approach where qualitative and quantitative study approaches were used including focus group meeting consultations with the community, one-on-one discussions with community leaders, review of anthropological and other relevant literature. The use of different methods ensured quality of the data collected as the methods complement each other. Each method filled in the gaps that the assessors may not have anticipated and picked, and this strengthened the preparation of the VCP.

**Field Site Surveys.** Field survey is compulsory to identify the status of the project area. The main objective of this activity was to carry out on-site field assessments of the expected effects of the planned developments on the physical, biological, and socio-economic



environment. During these surveys, interviews were carried out with key informants who included government institutions, local leaders, and community representatives to understand the project area better.

**Preliminary Literature Review.** This included studying relevant legislation, policies; national, regional, local secondary (collated) data sources; development plans, other reports and documents related to the sub-project and World Bank safeguards policies and associated guidelines. These were critical for appreciation of the different aspects of the environmental and social setting of the project area. It was also used to identify the legislative instruments that govern the various aspects of the receiving environment. The review of existing literature and collection of baseline information for the sub-project was undertaken with the aim to familiarize the specialists with and gain insights into the sub-project area. The review also served to contextualize how the greater area would be affected by the implementation of the sub-project. In addition, a review of relevant, policies, plans, programmes, and legislation that has a significant bearing on the implementation of the proposed sub-project was undertaken

**Primary and Secondary Data Collection.** Different methods were employed for primary and secondary data collection in preparation for the development of the VCP. Primary data was collected at the settlements and district level. At the community level focus group discussions, household survey, interviews with the key informants were held. The consultants also used the observation method by moving around the settlements and taking photographs where necessary. The data collection tool administered in the surveys was made up of mainly close ended questions. And this made it easy for coding and analysis of data collected from the respondents. In focus group discussions both open and close ended questions were used to allow for discussions and capturing of people's attitudes and perceptions about the project. All the consultations were conducted in the national official language, Setswana, to ensure that respondents and the interviewers understand each other well.

**Stakeholder Identification:** Stakeholders were identified based on project 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.

**Public Consultation.** Project Information Dissemination: appointments with the respective *Dikgosi* were made and confirmed through telephone calls to hold Kgotla meetings with Kgosi, Village Development Committee (VDC) members and other committees' representative.

- Methods of Engagement

Kgotla meetings and focus group discussions were held with *Dikgosi*, Vulnerable Communities and their VDC members on the 23 October, 2017, 20 March, 2019, 10 March, 2021 and 25 October, 2017, 21 March, 2019, 09 March, 2021 for Xere and Kedia respectively to solicit their views about the proposed project.

- Three (3) consultative meetings and group discussions were held. The communities are aware of the project and know the roles to play in the implementation of the project.

- The outcome of this plan will be disclosed to the VDC members and the vulnerable communities after the approval of the final plan.

## **2. LEGAL, POLICY, AND ADMINISTRATIVE FRAMEWORK**

### **Botswana Applicable Legislations/Acts, Policies and Programmes**

This section analyses some of the key national and international legislative instruments, policies and guiding principles that are relevant to the VCP. It briefly outlines their objectives and explains their relevance to the sub-project.

The following national legislations, policies and programmes are relevant to the development of the VCP, and they will guide the development, implementation and monitoring of the VCP.

#### **2.1 Constitution of Botswana (1966)**

The constitution of Botswana talks of the fundamental rights and freedom of individuals, meaning all people including the vulnerable communities like Basarwa. However, the constitution does not make mention of the word 'Indigenous'. Therefore, constitutionally Botswana does not consider Basarwa indigenous. The Botswana constitution protects the right 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 discrimination on the grounds of race and gender. Since the Basarwa are not given any special treatment constitutionally, their entitlement to the constitutional rights is governed by the laws of Botswana and are equal to those of the other members of the society.

#### **2.2 Domestic Violence Act (2008)**

According to the Domestic Violence Act (2008), violence is any controlling or abusive behavior that harms the health or safety of the victim. Abuse can be physical, sexual, or emotional. Domestic violence can be against children, parents, and elderly not only between spouses as people always assume. The violence comes in different forms like physical, emotional, religious, reproductive, sexual abuse and economic. The Act provides for the protection of the survivors of domestic violence.

This Act is important to this VCP because where there are employment opportunities and influx of labor in the community, several social ills occur, and domestic violence becomes one of them.

#### **2.3 Children's Act (2009)**

This Act makes provision for the promotion and protection of children's rights by the promotion of the physical, emotional, intellectual, and social development and general well-being of children. The Act guarantees the establishment of structures to provide for the care, support, protection and rehabilitation of children, and matters associated with childcare and protection.

The development and implementation of the VCP should consider the requirements of this policy in relation to the promotion and protection of the rights of the children in the vulnerable community.

#### **2.4 Revised Remote Area Development Programme Policy (2009)**

Its overall goal is to achieve sustainable social and economic development of people in the remote areas, through coordinated and integrated multi-sectoral approach, so that they can equally benefit from the rapid economic development of the country. The revised programme advocates for and focuses more on people –centred development approach.

Objectives include:

- To promote sustainable livelihoods for communities and residing in the remote areas, to reduce dependence on Government and to promote self-reliance and sustainable utilisation of natural resources, in ways that are compatible with the skills and aspirations of remote communities.
- To adopt and advocate for affirmative action across all sectors, aimed at providing remote area communities with equal access to entitlements under Botswana law as enjoyed by other citizens.

The opportunity of the RADP is that it is specific to the remote area dwellers and most of them are the Basarwa people. It focuses on key development issues; poverty reduction, creation of sustainable livelihoods systems, community-led development approaches and affirmative action for disadvantaged groups.

#### **2.5 National Settlement Policy (2004)**

It aims to provide a comprehensive set of guidelines for national physical planning and to provide a framework for guiding the distribution of investment in a way that reflects the settlement's population, size, economic potential, level of infrastructure and settlements' role as service centres. Its specific objectives are to:

- Provide guidelines and long-term strategy for the development of human settlements
- Rationalise and promote the optimal use of land and the preservation of the best arable land
- Promote the conservation of natural resources for the benefit of present and future generations

It allows for the identification of areas that need to be preserved and zoned as preservation areas, fragile and environmentally sensitive areas, and compatible land use zones. Provides for optimal land use and guides transportation and utility networks to strengthen the functional linkages within and between settlements which will enhance development and promote movement between villages.

Will protect the areas of historical and cultural importance to the community and the heritage sites.

## **2.6 National Policy on Destitute Persons (2002)**

This policy was first instituted in 1980 and revised in 2002. It defines a destitute as a person who does not have assets or resources like livestock, land, and cash, and does not have close family members to assist; a person who cannot work due to old age, mental or physical handicap or a child/children under the age of 18 whose parent/s are dead or have deserted the family.

The policy conditions are as follows:

- Assistance will be provided according to the size of the household.
- A destitute person with two dependents will get one food basket for a month
- A destitute person with three or four dependents gets a food component ration package for a month

The social safety nets that the Basarwa livelihoods are dependent on are governed under this policy. The destitute, orphan, and needy child packages are under this policy and Basarwa depend on these in almost all the households as most of them are not employed and have low socio-economic status.

## **2.7 Poverty Reduction Strategy (2003)**

This strategy pursues to link and harmonize the various sectoral initiatives relating to poverty reduction and put in place a systematic monitoring mechanism and processes to track poverty and overall progress towards its reduction on an on-going basis.

It has selected key areas to focus on, and they are:

- Expanding employment opportunities through broad-based growth; addressing the effects of the HIV/AIDS.
- Strengthening the organizational and delivery capacity of the poor.
- Enhancing the accessibility of the poor to social investments that enhance human capabilities.
- Safety nets to protect the poor and vulnerable, whilst avoiding entrenchment of the dependency syndrome; strengthening the capacity of individuals, families, communities, and local institutions to enhance their absorptive capacity for assistance schemes; strengthening national development management capacity, particularly in the context of enhancing the effectiveness of poverty reduction initiatives.

This is important for the project area as it calls for efforts to be made to reduce community dependency on Government through employment creation and pro-poor activities which will promote sustainable rural livelihoods. This will assist in finding ways and designing project initiatives that will help promote household incomes and make community members engaged in those initiatives financially sustainable to afford water reticulation to their yards and payment of monthly water bills.

## **2.8 Destitute Housing Scheme**

There is a provision for a Destitute Housing Scheme within the National Policy on Destitute Persons (2002). This is a government initiative that is intended to improve the housing conditions for all in urban and rural areas of Botswana. Under this scheme housing should be provided to a destitute person found living in a structure that is not habitable, that is not protecting him or her from the weather conditions like rain or storms. The beneficiaries for this scheme are either self-identified, or identified and nominated by community members, community leaders or local organisations. After the nominations and assessments, the qualifying candidates are provided with housing on their residential plots if they have them. If not the social workers and community leadership work with them to apply for allocation at the Land Board authority and once allocated housing is provided.

## **2.9 Revised Guidelines for Implementation of Ipelegeng Programme (2012)**

Ipelegeng, a labour-based public works programme is a government initiative with two main objectives; provision of short-term employment support and relief for the semi-skilled and unskilled labour of Botswana aged 18 years and above with national identity cards. The second objective is to execute the development projects that have been identified and prioritised through the normal national development planning. It helps in improving household incomes temporarily. Under Ipelegeng the employment is on rotational basis, people work for a month and the following month is for the other group. The wage rates are P560.00 per month for casual labourers. Ipelegeng is the main source of employment for the semi-skilled and unskilled Botswana. In the settlements. Basarwa who are not benefiting from the social safety nets depend on Ipelegeng for survival.

## **2.10 World Bank Environmental Safeguards Policies**

### **2.10.1 Environmental Assessment OP/BP 4.01**

Environmental Assessment is one of the 10 safeguard policies of the World Bank. The objective of the World Bank Environment and Social Safeguard Policies is to improve decision making, to ensure that project options under consideration are sound and sustainable, and that project affected people have been properly consulted.

The World Bank's environmental assessment policy and recommended processing are described in Operational Policy (OP)/Bank Procedure (BP) 4.01. The World Bank system assigns a project to one of three project categories, as defined below:

### **2.10.2 Category A**

An ESIA is normally required because the project may have diverse significant impacts (projects in this category are forestry, large industrial plants, irrigation and drainage, mineral development (including oil and gas), pipelines (oil, gas, and water), resettlement, rural roads, tourism, urban development, large transmission lines, etc.).

### **2.10.3 Category B**

A limited environmental analysis is appropriate, as the project may have specific environmental impacts. Projects in this category include agro-industries (small scale), aquaculture & marine culture, small industries, mini-hydropower station, public facilities (hospitals, schools, housing complexes, rural electrification, telecommunications, small-scale tourism, rural water supply, etc.)

### **2.10.4 Category C**

Environmental analysis is normally unnecessary, as the project is unlikely to have significant environmental impacts. Projects in this category include education, family planning, nutrition, institutional development, technical assistance, etc.

The assessment of this project construction phase according to the World Bank environmental screening qualifies the project as “Category A” because it is likely to have significant environmental impacts that are very sensitive based on the Boteti Southern and Central Cluster Villages Water Supply Scheme which this VCP is part of.

### **2.10.5 OP 4.10 - Indigenous Peoples Policies**

This policy contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples. For all projects that are proposed for Bank financing and affect Indigenous Peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples. Such Bank-financed projects include measures to (a) avoid potentially adverse effects on the Indigenous Peoples' communities; or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects. Bank-financed projects are also designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and intergenerational inclusive.

The Bank recognizes that the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances expose Indigenous Peoples to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease. Gender and intergenerational issues among Indigenous Peoples also are complex. As social groups with identities that are often distinct from dominant groups in their national societies, Indigenous Peoples are frequently among the marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limits their capacity to defend their interests in and rights to lands, territories, and other productive resources, and/or restricts their ability to participate in and benefit from development. At the same time, the Bank recognizes that Indigenous Peoples play a vital role in sustainable development and that their rights are increasingly being addressed under both domestic and international law. In the context of Botswana, Indigenous Peoples are referred to as “Vulnerable Communities”.

#### **2.10.6 Applicability to Boteti Southern and Central Cluster Villages Water Supply Scheme**

Boteti Sub-District has Basarwa in all the villages and settlements but in few numbers, mostly working as house-helpers and shepherds, but for the project area of the Boteti Southern and Central Cluster Village Water Scheme, there are high populations of Basarwa in Kedia and Xere settlements and therefore this plan will be applicable to all Basarwa in the area. The presence of Basarwa in the project area has triggered OP.4.10, and the preparation of a VCP became a necessity. **Table 2** on the next page shows gap analysis of Indigenous People OP 4.10.

**Table 2: Indigenous People OP 4.10 Gap Analysis**

Objectives	Operational Principles	Gaps and Resolution
<b>Indigenous Peoples OP 4.10</b>		
<p>To design and implement projects in a way that fosters full respect for Indigenous Peoples’ dignity, human rights, and cultural uniqueness and so that they: (a) receive culturally appropriate social and economic benefits; and (b) do not suffer adverse effects during the development process.</p> <p>-</p>	<p>1. Screen early to determine whether Indigenous Peoples are present in, or have a collective attachment to, the project area. Indigenous Peoples are identified as possessing the following characteristics in varying degrees: self-identification and recognition of this identity by others; collective attachment to geographically distinct habitats or ancestral territories and to the natural resources in these habitats and territories; presence of distinct customary cultural, economic, social, or political institutions; and an indigenous language.</p> <p>2. Undertake free, prior, and informed consultation with affected vulnerable communities (Indigenous Peoples) to ascertain their broad community support for projects affecting them and to solicit their participation: (a) in designing, implementing, and</p>	<p>Botswana does not have legislation on Indigenous Peoples. Botswana Government does not recognize any specific group of people as being Indigenous Peoples in the country, maintaining that instead all citizens of the country are “Indigenous” or understood as those who are original to Botswana. However, this interpretation does not reflect the Bank’s or the ACHPR understanding of the term which does not necessarily mean those who were there first.</p> <p>Nevertheless, in its recent statement to the UN Permanent Forum on Indigenous Peoples (UNPFII) in April 2019, the Government of Botswana stated “the promotion and protection of human rights remains a top priority for the Government of Botswana. [And attaches] great importance to the 1948 Universal Declaration on Human Rights, Declaration on the Rights of Indigenous Peoples and other regional and international human rights Instruments”.</p> <p>As such, those of certain tribes such as the San (Basarwa) are considered as Vulnerable Communities as per the criteria of OP 4.10.</p> <p>Over 80 percent of persons who meet the criteria of OP 4.10 are Basarwa, as revealed by a household survey undertaken as part of the social assessment for the VCP.</p> <p>The Project will ensure that the requirements under OP4.10 are fulfilled for the communities where Vulnerable Communities are present.</p> <p>Environmental Assessment Act No. 10 of 2010 Section 7(2b) of the EA Act prescribes that consultation meetings should be held with the affected people or communities to explain the nature of the activity and its effects. The community is given the opportunity to express their opinions and</p>



Objectives	Operational Principles	Gaps and Resolution
<b>Indigenous Peoples OP 4.10</b>		
	<p>monitoring measures to avoid adverse impacts, or, when avoidance is not feasible, to minimize, mitigate, or compensate for such effects; and (b) in tailoring benefits in a culturally appropriate manner.</p>	<p>concerns about the proposed activity. The project will ensure that the requirements of both the EA Act and OP 4.10 are fulfilled. However, the Act is used in the preparation of EIAs, EMPs, and SEAs. There are no legislation concerning Indigenous People</p>
	<p>3. Undertake social assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Consider options preferred by the affected Indigenous Peoples in the provision of benefits and design of mitigation measures. Identify social and economic benefits for Indigenous Peoples that are culturally appropriate, and gender and inter-generationally inclusive and develop measures to avoid, minimize and/or mitigate adverse impacts on Indigenous Peoples.</p>	<p>There are gaps since there are no legislations concerning Indigenous People. The VCP is adopted to close the gap.</p>
	<p>4. Where a restriction of access of Indigenous Peoples to parks and protected areas is not avoidable, ensure that the affected Indigenous Peoples' communities participate in the design, implementation, monitoring, and evaluation of management plans for such parks and protected areas and share equitably in benefits from the parks and protected areas.</p>	
	<p>5. Put in place an action plan for the legal recognition of customary rights to lands and territories, when the project involves: (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied; or (b) the acquisition of such lands.</p>	

Objectives	Operational Principles	Gaps and Resolution
<b>Indigenous Peoples OP 4.10</b>		
	<p>6. Do not undertake commercial development of cultural resources or knowledge of Indigenous Peoples without obtaining their prior agreement to such development.</p> <p>7. Prepare an Indigenous Peoples Plan (VCP) that is based on the social assessment and draws on indigenous knowledge, in consultation with the affected Indigenous Peoples' communities and using qualified professionals. Normally, this plan would include a framework for continued consultation with the affected communities during project implementation; specify measures to ensure that Indigenous Peoples receive culturally appropriate benefits, and identify measures to avoid, minimize, mitigate, or compensate for any adverse effects; and include grievance procedures, monitoring and evaluation arrangements, and the budget for implementing the planned measures.</p> <p>8. Disclose the draft Indigenous Peoples Plan; including documentation of the consultation process, in a timely manner before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.</p>	<p>There are gaps since there are no legislations concerning Indigenous People. The VCP will be used to close the gap.</p>
	<p>9. Monitor implementation of the Indigenous Peoples Plan, using experienced social scientists.</p>	

### 3. SOCIAL ASSESSMENT IN OP4.10 CRITERIA

#### 3.1 History of San (Basarwa) in Botswana

The social assessment of the Basarwa against the OP 4.10 criteria can be best understood against the historical background on tribal recognition in Botswana.

Despite the existence of more tribes in the country, initially the Constitution (in 1966) recognized eight major Tswana tribes (the Bamangwato, Batawana, Bakgatla, Bakwena, Bangwaketse, Bamalete, Barolong and Batlokwa). Their hereditary chiefs were guaranteed a seat in the *Ntlo ya Dikgosi* ('House of Chiefs'), an advisory body to Parliament.<sup>2</sup> Further, the Chieftainship Act of 1933 defined "chief" and "tribe" by reference to the eight dominant Tswana tribes only. However, several other ethnic groups have recently obtained such official recognition such as the Basarwa (San) through amendment of Section 77 of the Botswana Constitution in 2016.

Botswana is a culturally diverse country. Traditionally, the Basarwa were a semi-nomadic people who practised a hunters and gatherers and agro-pastoralist lifestyle, moving within designated areas based on the seasons and availability of resources, such as water, game and edible plants and had seasonal use to their traditional lands. 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). The territory available to the Basarwa has shrunk over the last century through successive in-migrations, land use changes, development (including of parks and other development enterprises) of both Government 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).<sup>3</sup>

Robert Watts, 1981 notes that after independence, the land security of the Basarwa was further eroded by the Tribal Grazing Lands Policy (TGLP) — a large-scale land reform and livestock development program adopted in 1975 which virtually left no land "in reserve" for the Basarwa. Robert Watts further notes that it resulted in the removal of an estimated 28,000-31,000 people from the TGLP ranch areas, and their subsequent relocation in Government established settlements, and in the case of the Basarwa community Boteti area, most recently relocations related to the expansion of the Debswana Orapa Game Park.

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<sup>2</sup> The House now consists of 35 members, up from its initial 15. Eight members are hereditary Chiefs (Kgosi in Setswana) from Botswana's eight dominant tribes. Another 22 members are indirectly elected and serve five-year terms. Of these, four are chosen from sub-chiefs in the districts of North-East, Chobe, Ghanzi, and Kgalagadi. The remaining 5 members are appointed by the President of Botswana. They must be at least 21 years of age, proficient English speakers, and have not participated in active politics in the past five years. Chiefs may not belong to political parties. The House is an advisory body to the Parliament and has no legislative nor veto power. All bills affecting tribal organization and property, customary law, and the administration of customary courts go through the House before being discussed in the National Assembly. Members must also be consulted when the Constitution is being reviewed or amended. The body has the power to summon members of Government to appear before it.

<sup>3</sup> 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>

In the case of Basarwa relocations from conservation areas, the settlements were part of the Government's efforts to integrate them into wider society. As per the RADP Policy position of 2007 observation, the official policy goal for relocations was to enhance the Basarwa development through the adoption of agriculture and cattle-raising as livelihood options as well as enhance their access to social amenities. However, while the settlements provide water, schools, and health posts, most Government projects have not fully succeeded in providing culturally appropriate sustainable livelihoods for them.

The death of hunters and gatherers culture and autonomy in Southern Africa dates to the first millennium C.E. This is when the Basarwa were forced into servitude by dominant Bantu neighbours about 1,500 years ago. Others argue that the meeting of hunters and gatherers and agro-pastoral communities was based on interaction and exchange and not always on force. Only during the 21st century has the Botswana Government put an end to Basarwa hunting and gathering with an aggressive programme of assimilation to the Botswana agro-pastoralist way of life. Only now, under an involuntary resettlement scheme, the extinction of the Basarwa culture become imminent.

The Basarwa population is now about 50,000–60,000 at the national level, and comprises a few subgroups, including Ju'hoansi, Bugakhwe, //Anikhwe, Tsexakhwe, Xoo, Naro, G/wi, G//ana, Kua, Tshwa, Deti, †Khomani, †Hoa, =Kao//'aesi, Shua, Danisi and /Xaisa. Basarwa communities are said to reside in seven districts. These are Southern, Kweneng, Kgatleng, Ghanzi, Kgalagadi, Central, and Northwest districts.

### **3.2 History of Basarwa in Xere and Kedia Settlements (Vulnerable Communities)**

The history of the Basarwa of Xere and Kedia is limited from published sources. It will therefore be discussed within the context of Southern Africa particularly the Central Kgalagadi Game Reserve (CKGR). The Basarwa were the first inhabitants of Southern Africa. They arrived in the sub-continent about 60, 000 years ago. This long predates that of the Bantu-speaking people of the region. They are traditionally hunters and gatherers. They once inhabited a territory stretching across South Africa and Namibia as well as Botswana.

The Basarwa of Xere and Kedia inhabited the CKGR hundreds of years ago. Xere is just on the CKGR boundary as can be seen on **Map 1**. They were essentially nomadic hunters and gatherers. The formation of the CKGR was originally intended to give the San the opportunity to "preserve their traditional culture." Today's way of life of these former hunters and gatherers of Kedia and Xere can be traced to Ghanzi district and the CKGR.

The original life of the Basarwa relied on sustainable use of natural resources. They had no guns and horses. They used spears, poison tipped arrows and bows, clubs or digging sticks. Dogs were the main hunting tools. A wide variety of wild plants were collected ranging from melons to truffles and tubers. Grass huts were used during the wet summer season, primarily when it rained, and windbreaks were occupied at all other times. Huts were used to store possessions not in use, however most culture material was kept within the windbreak walls.

Still-intact sharing networks determined the location of camps. These networks, consisting of relatives and friends, lasted for months or years. Everyone in a network shared not only food, but non-food items like tobacco and possessions (apart from clothing).

Although the establishment of the CKGR was intended to protect the rights of minorities, between the 1970s and 1980s, an urge to relocate the Basarwa people started from 1997 to 2005, presumably because they were a drain on financial resources. In 1997, three quarters of the entire Basarwa population were relocated from the reserve. In October 2005, the Botswana Government had resumed the relocations into resettlement camps (Batswana-style village) outside of the reserve leaving only about 250 permanent occupants.

### **3.3 Assessment of OP4.10 Criteria of the Basarwa in Kedia and Xere**

The Basarwa communities in Xere and Kedia settlements were screened against the criteria of OP 4.10 and were found to meet the characteristics in varying degrees as a distinct social and cultural group, despite changes in their traditional livelihoods and cultural practices because of displacement from their lands and cumulative impacts of various policies on them:

#### **i. Self-Identification**

They self-identify as members of a distinct indigenous cultural group and are recognized as such by others in national, regional, and international contexts. This is because they still identify themselves as Basarwa and have not forgotten their ancestral history.

#### **ii. Collective Attachment to Ancestral Lands or Geographically Distinct Habitats**

The Basarwa in the sub-project area especially in Kedia and Xere have formed a collective attachment to the land they currently occupy, even though historically the project area would not be considered their ancestral territories. 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). Despite ancestral land loss, the Basarwa in these two settlements formed a collective attachment to land they currently occupy.

#### **iii. Distinct Customary Cultural, Economic, Social, or Political Institutions**

They still practice hunting at a small scale as they must apply for a permit to hunt for example guinea fowls and other game, 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 of the country to learn their ancestral dances. In addition, they still practice '*botsetsi*' to commemorate the transition of a girl to womanhood at first menstruation, as well as rites of passage for boys who are maturing into manhood. In addition, there are traditional healers in both settlements who provide healing through prayers to their ancestral gods and herbs or traditional medicine, and some practice their traditional religions in addition to Christianity.

#### **iv. Distinct Language or Dialect**

The Basarwa in Xere and Kedia speak their distinct dialect, Sesarwa, a click-based language that differs from other languages in the country.

#### **3.4 Xere and Kedia Social Assessment**

Currently, the communities of Xere and Kedia depend on the Government Social Safety Nets (social protection) provided for under the Remote Area Development Policy (2009), which are mainly designed for the poorest people in the remote areas and Basarwa residing in the established villages. The settlements do not have established livelihoods systems and employment opportunities; therefore, it is important to ensure that the impacts of the project implementation do not perpetuate their situation, impoverish them further and erode their dignity, norms, and values.

To guarantee that, a social impact assessment was done, and it identified possible impacts associated with the project implementation. The impacts were analyzed, and possible mitigation actions suggested and costed. These constituted a VCP that will be implemented by different key stakeholders to ensure that the Basarwa benefit from the project implementation.

Data for social assessment was gathered through community consultation, survey, key informant interviews, focus groups discussions and observation methods. It was found out that, the settlements were both established for the relocation of Basarwa communities so that they could settle in permanent places for services from Government at different times, Kedia in 1979 and Xere in 2002 but their livelihoods and standards of living are the same today. This is an indication that more attention needs to be paid to their vulnerability and validates the importance of a VCP. Both communities are multi-ethnic but highly populated by Basarwa. Setswana, as the national official language is the main medium of communication, but other dialects like Sesarwa are spoken mostly at the family level. Most people still live in the huts made of traditional housing materials like, mud, poles and grass collected from the bush. The communities are patriarchal and there is also very clear division of labour according to gender. There are very basic facilities, no opportunities for employment and livelihoods. The communities largely depend on the Government Social Safety Nets provisions for their day-to-day survival.

Several positive and negative impacts and their associated risks were identified during consultations. Assessment of those impacts called for different levels of mitigation to minimise their effects on the Basarwa, and mitigation measures have been proposed and a plan developed for implementation. This plan would require active participation of different relevant stakeholders for its implementation, monitoring and evaluation.

## **4. SUMMARY OF SOCIAL ASSESSMENT AND BASELINE DATA**

### **4.1 History of the Basarwa (San)**

#### **4.1.1 Traditional Basarwa/San Culture**

In the past, familial groups, or bands of Basarwa usually numbered around 10 to 15 individuals. They lived off the land, erecting temporary shelters in summer, and more permanent structures around waterholes in the dry winter. The San were traditionally an egalitarian people and had no official leader or chief. Women were considered equal, and decisions were made as a group. When disagreements arise, lengthy discussions were held to resolve any issues.

San men were responsible for hunting - a collaborative exercise achieved using hand-crafted bows and arrows tipped with a poison made from ground beetles. Women gathered what they could from the land, including fruits, berries, tubers, insects, and ostrich eggs. Once empty, the ostrich shells were used to gather and store water, which often had to be sucked up from a hole dug into the sand. Both were responsible for provision of food and livelihoods for the community.

#### **4.1.2 The Basarwa Today**

Today, it is estimated that there are around 100,000 San still living in Southern Africa, the majority (over 55,000) living in Botswana. They are divided into 35 linguistic groups and only a very small fraction can live according to their traditional lifestyle. In Botswana, the culture of the Basarwa has been affected by sedentarization, conservation and development policies.

Unable to roam freely across the land as they would once have done, most are now labourers on farms or in nature conservancies due to their vast knowledge on animals, while others rely on state pensions and social protection schemes for their income, employment, and food. However, today, the Basarwa culture is showcased in Government tourism opportunities, their survival skills, which include tracking, hunting and an extensive knowledge of edible and medicinal plants, is showcased as source of national distinctness. In some cases, some Basarwa can live off these skills by teaching them to others at cultural centres.

**Table 3: Social Assessment Baseline Data Summary**

Project Village	Kedia	Xere
<b>Social Indicators</b>		
<b>Population (Males &amp; Females)</b>	1273	343
• Youth (18-35 years)	287	75
• Children (under 14 years)	674	144
• Elderly (over 65 years)	48	21
<b>Predominant Livelihoods</b>	Hunting and Gathering, Food Rations, Social Safety Nets, Subsistence Agriculture	
<b>Poverty Rate</b>	54	53
<b>Unemployment Rate</b>	19.8	
<b>Vulnerable groups</b>	Basarwa	Basarwa
<b>Other ethnic groups<sup>4</sup></b>	Bakalaka Baherero, Obanderu	Bakalaka Baherero, Obanderu
<b>Education Facilities</b>		
No. of Primary Schools	1	1
Number of teachers	19	8
Number of classes (reception to standard 7)	23	8
Enrollment	538	215
Pass Rate	69%	76.2%
Number of teachers houses	12	5
<b>HIV Prevalence (Total Registered)</b>	145	76

<sup>4</sup> These groups do not meet the criteria of IPs specified under OP 4.10



<b>Project Village</b>	<b>Kedia</b>	<b>Xere</b>
<b>Social Indicators</b>		
<b>Health Facilities</b>	1 Kedia Health Post	1 Xere Health Post
<b>Governments Institutions</b>	Kgotla, S&CD, Veterinary Services, Botswana Police Services	
<b>Land Tenure</b>	Tribal Land	
<b>Water and Sanitation</b>		
<b>Households Connected</b>	104	49
Households Using Standpipes	306	8
Total No. of Standpipes	3	4
Total No. Standpipes Working	2	2
Total No. Standpipes not Working	1	2
<b>Housing</b>	Traditional Housing	
<b>Electricity</b>	National Electricity Grid	
<b>Religion/Spirituality</b>	African Traditional Religion (Ancestors or Supreme gods)	
<b>Cultural/Customs</b>	Traditional dance, rites of passage	
<b>Social Issues</b>	School Dropout, Teenage Pregnancy, Abuse of Traditional Beer, GBV	
<b>Governance</b>	Tribal and political administrations	

### 4.1.3 Population

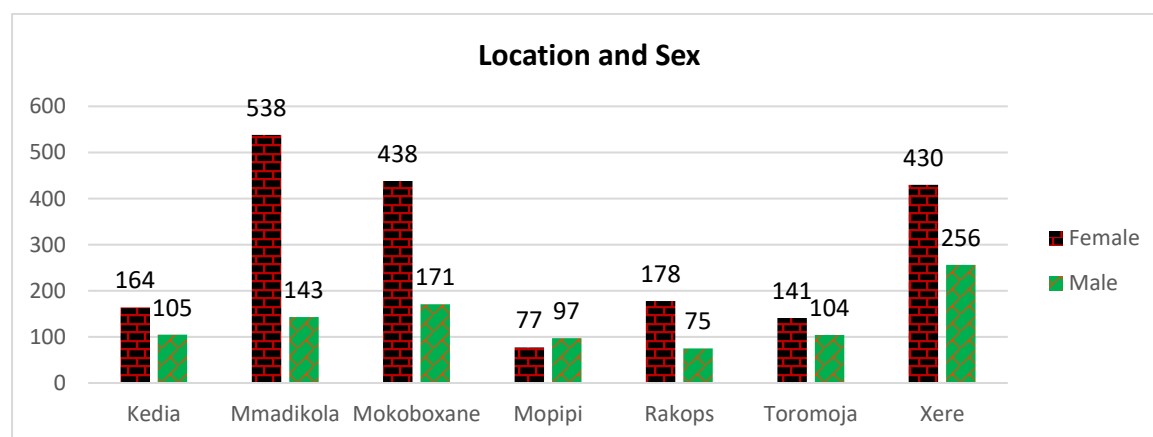
According to the 2011 Botswana Population and Housing Census of Towns and Villages, the total population of project villages was 16,706. The males were 7,659 while females were 9,047 a difference of 1388. As it is the case with the rest of the country, there are more females than males in the project villages. Rakops has the highest population at 6,396 followed by Mopipi with 3,912 while Xere has the least number of people at 343 (**Table 3**). The projected population for 2021 for the eight beneficiary villages was 22,501 respectively (**Table 4**).

**Table 4: Villages and Settlement Number of Households, Population Census of 2011 and 2022**

Village	Number of Households (2011)	Population (2011)	Population (2022)
Rakops	1,598	6,396	7,439
Mmadikola	258	830	1,004
Xere	106	343	742
Toromoja	334	710	996
Xhumo	557	1,684	2,041
Mopipi	1,161	3,912	4,115
Kedia	165	1,273	1,560
Mokoboxane	274	1,594	2,589
<b>Total</b>	<b>4,453</b>	<b>16,706</b>	<b>20,486</b>

Source: CSO – Population and Housing Census 2022

According to the 1991 census, the sex ratio in the region was 9:10 that is, there were about 9 males per 10 females. This suggests that women are the dominant sex group. The 2011 Census recorded a ratio of 96 males to 100 females and thus it can be concluded that there is a gradual increase of the sex ratio and women are still dominant except in Mopipi according to the **Figure 3** below.



**Figure 3: Boteti Sub District Village Population by Gender**

#### 4.1.4 Poverty Levels

According to Statistics Botswana (2010), amongst the beneficiary villages, those with the highest poverty levels are Xere and Kedia settlements (which also have vulnerable communities). The levels are as high as 53% and 54% respectively (**Table 5**). These are higher than the national poverty rate of 16.3%. The high poverty levels could be due to the high unemployment levels as nearly 90% of residents are employed in the temporary government work program, Ipelegeng (labour public works program) where those enrolled in the program are paid a monthly wage for a two-month duration of the work program. As such, unemployment stands as high as 90% given the high enrolment numbers for this program.

**Table 5: Estimated Disaggregated Poverty Rates at Village Level**

Village	Number of Households	Population 2022	Estimated No. of Poor People	Poverty Rate
Rakops	1,598	7439	2,381	36
Mmadikola	258	1,004	352	34
Xere	106	742	210	53
Toromoja	334	996	289	25
Xhumo	557	2,041	706	31
Mopipi	1,161	4,115	1,646	36
Kedia	165	1,560	512	54
Mokoboxane	274	2,589	449	36

Source: Statistics Botswana: Mapping Poverty in Botswana, 2010

#### 4.1.5 Governance

The tribal and political administrations of all the eight villages are similar. Tribal leadership is headed by a Kgosi (tribal chief) (**Table 6**). Governance at the level of local tribal and vulnerable communities (VCs) is through the system of Kgosi (traditional chiefs) and Kgotla meetings, a system with origins in Tswana custom that is recognized and regulated by the Bogosi Act.<sup>5</sup> The Kgotla is the meeting place for dispute resolution, as well as for discussions regarding matters of concern to the community, including development initiatives.

**Table 6: Dikgosi (Chiefs) of the Project Area**

Village	Kgosi (Chief)
Rakops	Kgosi Kopano Mabona
Mopipi	Kgosi Gowinnemang Matlhare

<sup>5</sup> An Act to re-enact with amendments the provisions related to Bogosi and matters incidental thereto or connected therewith. CAP 41:01, Act 9, 2008. The Bogosi Act defines the office of *bogosi* or "chieftainship" among Botswana's various tribes. The act was written in response to the Balopi Commission recommendation that the Constitution of Botswana replace all references of the word "chief" to the Setswana word *kgosi*. The Bogosi Act replaces the earlier Chieftainship Act of 1987.

Kedia		Kgosi Simane Rojas Akanyang
Mmadikola		Kgosi Tlhabologo Boima
Xhumo		Kgosi Seikgotleng Ntshubiwa
Xere		Kgosi Nohudi Sesana
Toromoja		Kgosi Katuungua Ngavauva
Mokoboxane		Chief still to be appointed

It is significant to note that in Botswana the law requires every Kgosi (Chief) to carry out instructions given to him by the Minister of Local Government and Rural Development. Any Kgosi (Chief) who fails to comply with any direction given to him by the minister is liable to suspension or deposition. The minister is also authorized to make regulations for the better carrying out of the provisions of the Chieftainship Act, including general conditions of service and the procedure for taking disciplinary action. Provisions of the Chieftainship Act, which give enormous authority to the minister, establish complete supremacy of the central government over the traditional leaders in Botswana.

#### 4.1.6 Livelihoods

The predominant livelihood in the project villages is subsistence agriculture (**Table 3**). The communities of Xere and Kedia are heavily dependent on the government Social Safety Nets provided for under the Remote Area Development Policy (2009), which are mainly designed for the poorest people in the remote areas and Basarwa residing in the established villages. Xere and Kedia settlements have very limited livelihoods and employment opportunities, with this situation and the standard of living for the Basarwa, it is important to ensure that the impacts of sub-project implementation do not perpetuate their situation, impoverish them further and erodes their dignity, norms, and values.

During consultations the community indicated that the resources that are mostly found in the study area from which communities derive a living are *Mogwana (Grewia Monticola)*, sometime *Tswii (Nymphaeaceae)* water lily tubers and fish from the Boteti River. They further stated that *Mogwana* fruits are sold and can also be used to make traditional beer (*khadi*).

Besides these, Xere and Kedia Vulnerable Communities, (VC) mostly rely on government temporary employment called Ipelegeng (labour based public works programme) and other social safety nets such as orphans, destitutes persons, needy students and children's packages, food rations, and Livestock Management and Infrastructure Development (LIMID) for sustenance.

#### 4.1.7 Employment

Kedia has unemployment rate 19.8 (Table 12), there are no unemployment data for Xere since most residents depend on social safety nets. According to Botswana Multi-Topic Household Survey Report 2015/16, there are 19,670 males, and 9,765 females employed in the entire

Central Boteti District, which the project villages fall under. This indicates that more males are employed compared to females.

#### **4.1.8 Ethnic and Linguistic Composition**

The sub-project area villages are predominantly Bakalaka. There are, however, some other ethnic groups in the sub-project area. These are Basarwa in Xere and Kedia who meet the criteria of Vulnerable Communities as per World Bank's OP 4.10. There are Bakgalagadi in Makoboxane, Bayei in Mopipi, Mmadikola and Xhumo, Baherero and Obanderu in Toromoja and Bakhurutshi, Bangwato and Bakwena in Rakops, Mmadikola and Mopipi.

#### **4.1.9 Gender**

According to the 2011 Population and Housing Census, the population of Kedia and Xere Settlements comprised 1616 individuals; of which 361 were male and 594 females. The population was dominated by the youth who represent the 0-to-14-year age group. The male-female composition of the population shows that there is a dominance of females in the project villages. This implies that there are more female headed households in the project villages. This has implications on the policies and programmes which must be adopted in the district towards the improvement of the affairs of women and uplifting the standard of living for households.

#### **4.1.10 Housing Infrastructure**

The dwelling huts are made up of mostly natural materials, poles, grass, and mud. Individuals who can afford to live in small houses constructed from modern building materials, cement bricks, timber and corrugated iron sheets are few. Most of the yards are not fenced and where there is fencing it is just poles cut from trees and some lines of wire, not the commonly used diamond mesh and metal poles.

#### **4.1.11 Health**

According to Boteti Sub-district Health Management Team, the project villages have 2 health posts: 1 clinic per village. There are 221 HIV positive cases registered in the project villages (Table 10). Kedia has 14 registered cases while Xere 76 registered cases.

#### **4.1.12 Education**

The beneficiary villages have a total of 2 primary schools; 27 teachers, and 31 classes. The enrolment rate for both villages is 753. The pass rate ranges from 69% to 76%.

## 4.2 Inclusion of Women, Youth and Marginalized and Disadvantaged Groups

### 4.2.1 Gender and Gender-Based Violence (GBV)

Gender Based Violence is an emerging social issue in Botswana. GBV is deeply rooted in gender inequality, and while both women and men experience gender-based violence, most victims are women and girls.

A study by the Women Affairs Department and NGO Gender Links Botswana states that over two thirds of women in Botswana (67%) have experienced some form of gender violence in their lifetime, including partner and non-partner violence. A smaller, but still high, proportion of men (44%) admit to perpetrating violence against women.<sup>6</sup> The same study also noted that nearly one third of women (29%) experienced violence perpetrated by an intimate partner in the 12 months prior to the prevalence survey. In contrast, only 1.2% of women reported cases of GBV to the police in the same period. Thus, the prevalence of GBV, SEA, SH and VAC reported in the survey is 24 times higher than that reported to the police. This suggests that levels of GBV are far higher than those recorded in official statistics.

In the rural areas, GBV, SEA, SH and VAC prevalence tends to be higher and are often influenced by community and societal factors such as cultural or traditional norms, and underlying social and economic conditions, as well as individual factors (substance abuse, age, income, education, etc.) however, these occurrences are often not reported to the authorities. Given the situational context for GBV, SEA, SH and VAC risk, there is need for periodic education on GBV, SEA, SH and VAC prevention to the workers and community members during construction.

GBV, SEA, SH and VAC is deeply rooted in gender inequality embedded in patriarchal norms, and while both women and men experience gender-based violence, most victims are women and girls. GBV, SEA, SH and VAC can cause economic, physical, social, and emotional harm to an individual, for example, through property damage and restriction of access to resources, impact their personal health and safety, can lead to social exclusion, and foster dependency on their partners for all material needs which can often perpetuate the cycle of violence.

In view of the above, this project will provide special consideration to employ women during civil works to help empower them and provide economic independence. **A GBV, SEA, SH and VAC Action Plan that includes mitigation measures, a process in the project's GM for survivor centred GBV reporting, and a GBV referral pathway for services for survivors of GBV has been developed and a GBV, SEA, SH and VAC Specialist will be reporting for duty in May 2022 and her role will be to monitor the implementation of the GBV, SEA, SH and VAC Action Plan in the portfolio projects.**

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<sup>6</sup> Government of Botswana (Ministry of Labour and Home Affairs and Women Affairs Department) and Gender Links (2012). "Gender Based Indicator Study <http://www.gov.bw/globalassets/mlha/gender-affairs/final-gbv-indicators-study-pamphlet--botswana.pdf>. See also, Management Sciences for Health (MSH) Botswana (2014) "Gender Based Violence in Botswana". <https://www.hivsharespace.net/sites/default/files/resources/MSH%20Fact%20Sheet%20Botswana%20GBV%20Oct%202014%20web.pdf>

#### 4.2.2 Gender Disparities

Xere and Kedia like any other Basarwa community villages are heavily embedded in gender roles although diffused with modernity. It was observed during the site visits that traditional gender roles are still part of everyday practices within both villages (Xere and Kedia). **Table 7** indicates some of the roles in the village and the gender that is most associated with those gender roles. From the Table below, it can be said that women and girl children generally do more domestic work whilst man and boys do more labour-intensive jobs. Women and female children do more work than their counter parts of the opposite sex.

#### 4.2.3 Gender Roles

The communities are patriarchal, the roles of males and females are clearly separated as well as their responsibilities and rights in the family affairs. In this set up, the inheritance of land and other means of production go to sons than daughters. Unlike with other ethnic groups of Botswana, Basarwa hardly marry outside their settlements because they start sexual relationships at a young age before the age of twenty mostly, move in with each other and live like a married couple from that point.

**Table 7: Activities and traditional gender roles**

RESOURCES	MEN	WOMEN	BOY	GIRLS
Manual Labour	√	√	√	√
Cooking		√		√
Food Collection		√		√
Fetching Water		√		√
Washing Utensils		√		√
Collecting Firewood		√	√	√
Looking After Livestock	√		√	
Laundry		√		√
<b>TOTAL TASKS</b>	<b>2</b>	<b>7</b>	<b>3</b>	<b>7</b>

**Table 8: Main Traditional Resources and ownership by gender**

Land	M	F/M	M	M/F
Livestock	M	M	M	M/F
Household Property	F	F	F	M/F
Subsistence Crops	F	F	F	F

M=Male F=Female

#### 4.2.4 Disadvantaged Groups

The Vulnerable Communities (VCs) (Basarwa) were identified through the Social and Community Development officers in the settlements of Kedia and Xere. However, there are other disadvantaged individuals who may be more likely to be adversely affected by the impacts of the project and/or more limited than others in their ability to take advantage of the project's benefits. These include children, elderly, destitute persons, persons with disabilities, women-headed households, persons with HIV/AIDS, the unemployed, among others. **These groups are already assisted by Government through social protection programmes such as the Destitute programme, universal old age pension for all 65 years and above, allowance for people with disability and the remote area development programme that target children.**

During civil works for example such as excavations for open trenches, it will adversely impact on the movement of people by severing footpaths or roads within the settlements. This will be temporary but requires consideration of vulnerable people. Crossing of trenches may therefore pose a risk to children, persons with disabilities and the elderly. Differentiated measures proposed for these groups include the following;

- Consideration to employ persons from disadvantaged groups according to their ability in the project can contribute to inclusive project benefits
- Disadvantaged groups should be given a chance to take leadership positions, this helps develop them as leaders in their respective communities.
- Promotion of equal rights and provide equal opportunities for women, and marginalized and disadvantaged groups
- Engaging youth in semi-skilled labour positions, which will give them the opportunity to gain the necessary work experience and improve their employability through teamwork, skills and entrepreneurship development
- The Contractor and WUC should take part in community development activities especially those that aim at improving the lives of disadvantaged groups

#### 4.2.5 Violence Against Children (VAC)

The Children's Act, 2009 is the principal law for the protection of all children in Botswana and it defines a child as anyone who is below the age of 18 years. Employing children below the age of 14 years and allowing children to sell to the workers during school hours. Botswana's Employment Act defines the minimum age of employment as 14 years, when the child is not attending school. The Act states that he/she may be employed on light work not harmful to his/her health and social development. The child should work for a maximum of six hours a day and 30 hours a week. While adults work for eight hours a week and not more than 48 hours a week. **Nevertheless, in this project, there shall be no employment of children.** The project will be vigilant to ensure that following risks known to exacerbate the possibility of VAC and harm to children more generally are not found in the project implementation:

- **No children will be employed in this project and PIU will diligently monitor that.**
- Using children for personal or financial advantage by both families, and employees.
- Harassing children, including sexual exploitation and physical or sexual violence.



- Putting children’s health and safety in danger by not protecting trenches that are close to where they play in their homes and within the built-up area.
- Employing children under the minimum age of 14 and will be monitored to ensure compliance.
- To strengthen and protect children against possible violence, the *Codes of Conduct and Action Plan for Implementing ESHS and OHS Standards, and Preventing Gender Based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and Violence Against Children (VAC)* will be rigorously applied and will be included in the Contractor’s ESMP (**Annex 12** outlines the procedures for addressing GBV, SEA, SH, and VAC) and in all bidding documents.

#### **4.2.6 The Youth in Beneficiary Villages (Including Youth of Vulnerable Communities)**

According to Statistics Botswana, 2011 Population and Housing Census, the total youth population is estimated at 26% (that is the age cohort between the ages of 18 - 35 years). **Table 3 depicts the youth population of Kedia and Xere as 287 and 75 respectively. Primary school enrolment of the two villages are 538 for Kedia and 215 for Xere (refer to Table 3).** Most of the unemployed are the youth and particularly those just coming out of school. The challenges they face include limited job opportunities, inadequate employable skills, and limited access to productive assets particularly those in the vulnerable communities.

The high rate of unemployment causes frustration, dejection, desperation and dependency, and the situation has left the youth in a vicious cycle of poverty that daily erodes their confidence and hopes for a prosperous and meaningful future. Consequently, they tend to abuse alcohol and drugs and thus are increasingly being involved in crime and delinquency. The implementation of this project should facilitate employment to the youth, both men and women.

#### **4.2.7 Socio-Cultural Setting**

The Basarwa people like in other rural set ups commonly live together as an extended family. This is done as a support mechanism so that they could share the food and other provisions. They keep cattle and small stock which they mostly get through the Government poverty eradication and economic empowerment programmes. Their residential plots have been legally allocated to them by the Boteti Sub-Land Board. Some of the residents have ploughing fields outside the settlements. Their livestock graze in the open communal lands adjacent to their settlements.

The dwelling huts are made up of mostly the natural materials, poles, grass, and mud. Only a few can afford to live in small houses made of the modern building materials, cement bricks, timber, and corrugated iron sheets. Most of the yards are not fenced, and if it happens to be fenced it is just some fencing of poles cut from the trees and some lines of wire, not the commonly used diamond mesh and metal poles.

#### **4.2.8 Economic and Land Use Context**

In the Boteti area like in other parts of Botswana, subsistence agriculture is the main source of livelihoods. Rain fed agriculture is practiced to feed the families, with only a few households in good years being able to sell the surplus harvest for cash income. Livestock is kept by many households even the very poor ones because it can be acquired through the Government poverty eradication programs and youth grants. Livestock rearing is done in the communal lands where it is faced with challenges of water shortage in the dry seasons or drought years and predation because of the area's proximity to the Central Kalahari Game Reserve. Stock theft is another concern for the livestock sector in the area. These issues limit the capability of the livestock based economic empowerment programs to uplift the living standards of the vulnerable people.

There are very limited livelihoods options. The Government's effort to promote economic empowerment through funding community members for small businesses and production-oriented activities has never achieved the desired results. This is mainly due to lack of water, business skills, market, and education to pursue such initiatives. This has left Basarwa dependent on the social safety nets.

#### **4.2.9 Health/Hygiene**

The inadequacy of water supply means that the households must store water in containers mainly 20 litre plastic containers with a very small opening at the top. This makes it difficult for these containers to be cleaned making it easy for water to be contaminated and very unhygienic. The other common containers used are the 20 litre empty paint buckets, with a wide opening and at times without a lid. This is also a health hazard as cleaning plastic containers need some detergents that most poor households cannot afford. Also keeping water in an open container exposes it to contamination from the air.

It is common that in the containers with a small opening, algae forms and people consume that water regardless of that and continue to use the same container. Therefore, the improvement of water supply will go a long way in improving household hygiene status.

In most cases, people in Kedia settlement resort to using the salty water from the private boreholes. For individuals with sensitive or weak immune systems diarrhoea may occur. This happens also in babies who are not breastfed but live on the formula. The Kedia community has had occasional outbreaks of diarrhoea which happened during the time when there was no water pumped into the settlement for some days due to occasional pump breakdowns and therefore impacting them negatively on their hygienic practises. (See 4.2.11)

#### **4.2.10 Water Supply**

There is an acute shortage of water in the settlement which is made even worse by the fact that the underground water is salty and causes diarrhoea when consumed. Some people have boreholes nearby, but the water cannot be useful because of salt content. Also, the settlement is located near Lake Nxau that is fed by the Boteti River.

Even though this lake is dry on the surface, people can dig manually and reach water levels to water their livestock, but there is a point where they reach high concentrates of salt to a point where the water cannot be consumed by livestock. The settlement is supplied by water from the boreholes in Mokoboxane that also supply Rakops village and Xere settlement. Due to that load, at times the settlement goes without water especially when there is a system breakdown. In that case the settlement can go for days or even weeks without water supply or very inadequate supply by WUC through a water bowser truck that also cannot do the daily deliveries of water.

The shortage of water in the settlements also perpetuates the situation of poverty in the community. Some of the projects that the community members wish for cannot be supported under economic empowerment, and programs for poverty eradication due to shortage of water for example horticulture, brick moulding and baking. This lack of water has reinforced the people's dependency on Government hand-outs. The assistance given through social safety nets is just to allow the individual to survive from one month to the next and not to prosper and become wealthy. Currently the main source of employment for Basarwa is the Ipelegeng program that pays only P560.00 per month and on rotational basis. People do not work all year round they rotate monthly, the P560.00 payments is also not enough to sustain a household even just for one month, especially in a situation where there are no other means to supplement the household's income.

#### **4.2.11 Water Supply Situation in Xere and Kedia**

During consultations it was indicated that there is a very serious shortage of water in both settlements, and it affects the community's livelihoods. Water is pumped from a borehole in Rakops into a tank for both the community, and the schools. There is one public standpipe in each settlement, and in schools. The community sometimes stays for days without water supply, especially when there is an engine or pump breakdown. During such period even the school closes because the children are not able to bath, and the school uniforms would not be washed. Also, meals cannot be prepared at school when there is no water. In addition to that the school cannot do Agricultural practical lessons with students as there is no water for watering gardens. Several projects could not be implemented due to lack of water; LIMID, and poverty eradication programmes, and other Government economic empowerment programs even if the community members are interested in them due to shortage of water.

Underground water is very salty and cannot even be consumed by livestock, to an extent that some Xere livestock owners drilled their own boreholes so that their livestock can have water. It was indicated that the water from the boreholes drilled by livestock owners tastes better than the water from the village tank, and public standpipes.

#### **4.2.12 Civil Society Organizations Support**

The Civil Society Organisations have an important role to play in sustainable community development. Unlike the Government staff, the CSO field staff are placed in communities and always have defined area of coverage. This helps them not to spread their efforts thinly on the ground. They become part of the communities they work with and develop the projects together using the participatory development methodologies. This makes communities

partners in development not mere beneficiaries, they take ownership of the project from planning, implementation, monitoring and evaluation. The CSOs can facilitate resources mobilisation for community development, and they can also facilitate lobbying of Government and international organisations for financial support, policy change or any development issue of community concern.

Unfortunately, in the Kedia and Xere Settlements, there are no CSOs working with the communities, and due to that, even the Community Based Organisations (CBOs) that were established for natural resources management are now inactive. Therefore, the communities do not have facilitators to ensure that their development issues are attended to sufficiently and accorded the attention they deserve. This is because the Government officials have processes to follow to register issues with the relevant authorities. And getting an authority to change their work plans and budget allocations if that is required to create change may not be possible. The CSOs do not have such bureaucracy, and if they work hand in hand with Government structures, they stand in the gap for community development where Government may take long time to assist. The CSOs can also play a strategic role during the consultations for development and reviews of national legal frameworks, policies, regulation, and strategies. Through this, they could ensure that issues faced by the communities they work with are taken on board.

The presence of CSOs in Xere and Kedia is of supreme importance for development purposes. After the completion of the water supply project, the Basarwa people because of their lack of finances will need support to raise funds for water connection to their yards and for payments of monthly bills. A robust sustainable plan needs to be developed and implemented with the Basarwa themselves to build household financial sustainability needed for the costs of water reticulation.

#### **4.2.13 Natural Resources**

The Basarwa people as a society with a history of hunting and gathering always have connection with the natural environment. They use veld products for different purposes; to supplement their dietary needs, build their huts and for medicines. Hence culturally, natural resources form a foundation for their livelihoods. In Xere and Kedia Settlements, Basarwa still harvest some wild fruits and vegetables seasonally. Most of the veld products they currently have access to do not have a long shelf life, therefore they are collected for immediate consumption. They reported that because of the different land uses like; expansion of the human settlement and its associated infrastructure, grazing of livestock, commercial farms and ploughing fields, they now must walk long distances for collection of veld products.

They no longer have access to game meat due to the national ban on hunting. Also, their access and user rights of the veld products is currently under threat because of the new Botswana regulations that requires harvesters to obtain permits for some veld products from the Department of Forestry and Range Resources (DFRR). The permits regulate and monitor sustainable utilization of veldt products. Veldt product means non-domesticated, vegetative biological resources that may be used for construction, medical, food, cultural activities, and firewood. The permit costs P2.00 for individuals, and P5.00 for Community Based

Organizations. The fees are for any amounts no matter the size, the permit is valid for 30 days from the date of issuance.

Though the fees are minimal, the Basarwa are exempted from payment of these permits due to their socio-economic status. This issue of harvesting permits although not new, many respondents were ignorant about it. Awareness campaigns need to be done in these settlements to avoid situations where they get fined for illegal collection of veld products.

The permit regulates and monitors sustainable utilization of veldt products. Veldt product means non-domesticated, vegetative biological resources that may be used for construction, medical, food, cultural activities, and firewood. The permit costs P2.00 for individuals, and P5.00 for Community Based Organizations. The fees are for any amounts no matter the size, the permit is valid for 30 days from the date of issuance.



**Figure 4: Shows Residential Huts Built with Natural Resources in Xere**

## 5. PUBLIC AND STAKEHOLDER CONSULTATION

Kgotla meetings and focus group discussions were held with *Dikgosi* and VDC members at Xere and Kedia on the 23<sup>rd</sup> and 25<sup>th</sup> of October 2017, 20<sup>th</sup> and 21<sup>st</sup> of March 2019 and 9<sup>th</sup> and 10<sup>th</sup> of March 2021 (**Table 9**) to solicit their views about the proposed project.

- Three (3) consultative meetings and group discussions were held. The communities are aware of the project and know the roles to play in the implementation of the project.
- The outcome of this plan will be disclosed to the affected communities after the approval of the final plan.

**Table 9: Vulnerable Communities Consultations in Xere and Kedia**

Village	Purpose of Consultations	Stakeholders Consulted	Consultation Method	Date	Time	Number of attendants	Females	Males
Xere	Consultations with vulnerable communities.  Discuss the proposed sub-project with the communities and identified its positive and negative impacts.	Kgosi Village Development Committee Village Extension Team Farmers Committee Vulnerable Community	Focus group discussions	23 October 2017	08:00-12:00hrs	7	5	2
				20 March 2019	09:00-16:30hrs	15	9	7
				10 March 2021	14:00-16:30hrs			
Kedia	Consultations with vulnerable communities.  Discuss the proposed sub-project with the communities and identified its positive and negative impacts.	Kgosi Village Development Committee Village Extension Team Farmers Committee Vulnerable Community	Kgotla meeting	25 October 2017	08:00-10:00hrs	61	32	29
			Focus group discussions	21 March 2019	09:00-16:30hrs	12	7	5
				09 March 2021	14:00-16:30hrs			

*NB: Kgotla Meetings and Gatherings were prohibited in 2020 after the outbreak of COVID-19. In 2021, there were restrictions to the number of people who could be consulted.*

**Table 10: Other Stakeholders Consulted (Government & NGOs)**

Institution	Contact Person	Consultation Method	Date Consulted
Department of Environmental Affairs (Serowe)	Ms. T. Nkwane	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	12.12.2014
Department of Roads (Gaborone)	Mr. Tshenolo Mabeo	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	19.03.2015
Rakops Sub Land Board	Mr. K. Montsho	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	19.08.2016
Botswana Red Cross (Letlhakane)	Mr. Sakaeyo Modirwagale	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	15.09.2021
Botswana Council of Women (Letlhakane)(NGO)	Ms. Thato Modirwagale	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	23.09.2021
District Health Management Team Boteti	Ms. Gasebotho Kedikilwe	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts	25.02.2021
Khwedom Council (Vulnerable Community Representative) (NGO)	Mr. Keikabile Mogodu	One on one interviews  Discuss the proposed sub-project, identified its positive and negative impacts on vulnerable communities	14.10.2020
Ngwato Land Board	Ms. Oitsile & Mr. Motswasele  Mr. Marumo	One on one interviews  Discussed the resettlements on farms	10.08.2021  07.10.2021

### 5.1 General Findings Pertaining to Xere and Kedia

- Xere and Kedia are ethnically diverse village and settlement respectively with most of the population being the Basarwa.
- The cultural uniqueness of the Basarwa in these two settlements is only limited to seasonal gathering of wild fruits and berries.
- Xere and Kedia villages are beneficiaries of Government Social Safety Nets (Social Protection programmes) such as the Remote Area Development Programme, Ipelegeng Programme (Labour-based Public Works Programme) and Destitute



Programmes such as housing and monthly food baskets as most of the residents are poor and vulnerable.

- There is inadequate water supply for both settlements as they can go for days with no water supply.

## **5.2 Summary of Meetings Held at Xere and Kedia**

During consultations it was indicated that there is a very serious shortage of water, and it affects the community's livelihoods. Water is piped from a borehole in Rakops into a tank for both the communities, and the schools. There is one standpipe for the community in each settlement which results in long queues which is time consuming and significantly affects other potentially beneficial activities. There is one standpipe at each school which means students queue for water as well. The settlements can stay for 2 days to 1 week without water supply, especially when there is a breakdown at the borehole. This often forces temporary school closure because most basic functions require water such as bathing, washing, and cooking. Water shortage also affects the school curriculum because some practical subjects such as Agriculture require students to grow crops which cannot happen in this current environment. Furthermore, several projects could not be implemented due to lack of water; LIMID, and poverty eradication programmes, and other Government economic empowerment programs.

The locals indicated that lack of water is one of the main causes of poverty in their area, although there are other factors. They alluded that through the Government programs for eradicating poverty and economic empowerment some of them were given livestock (cattle and goats), but they lost them due to lack of water. They also cannot access funding and support for water demanding projects like gardening and brick moulding.

Lack of water in the settlement affects the health of the community. When there is no water, they resort to drinking salty water from the boreholes and it causes diarrhoea. Babies who are not breast fed, when the salty water is used to prepare the feeding formula it gives them diarrhoea that in most cases result in dehydration.

There are no sustainable employment opportunities in the area, most people rely on Ipelegeng Program which hires people on rotational basis. People are employed one month and then the next month another batch of people are employed and those who worked the previous month make room for others. The salaries for the program, are also very minimal; P550.00 for employees and P600.00 for supervisors who are also community members picked by the Village Development Committee members. There is high youth unemployment, even those who have done some courses find it difficult to look for jobs outside their settlement because they cannot afford paying rent as they do not have relatives in areas like Letlhakane to stay with. Some of the youth who have done Form 3 or Form 5 and did not do well; do not get opportunities to further their education because of lack of funding.

## **5.3 FREE, PRIOR, AND INFORMED CONSULTATION FRAMEWORK**

### **5.3.1 Objectives of Free, Prior and Informed Consultation**

The objectives of free, prior, and informed consultations with the Basarwa community also referred to as the Vulnerable Community as per WB OP4.10 was to:

- Inform the affected vulnerable community/Basarwa about the proposed project and obtain their opinions and broad support for the project
- Assess in a participatory manner the possible project benefits and adverse impacts
- Agree on measures to enhance positive benefits and/or mitigate adverse impacts that will be incorporated into the project design

In addition, the consultations with the Basarwa community also sought to reach an agreement with the community on how they wished to be engaged, to understand and respect local protocols in relation to entry into the community and access to traditional lands. The purpose of the engagement was to.

- Confer with the VCs at the outset on how they wish to be engaged
- Understand and respect local entry protocols as they relate to permission to enter a community and access their traditional lands
- Ensure that all representatives of the WUC and executing partner agencies (including third party subcontractors) are well briefed on local customs, history, and the elements in the plan
- Consult on who is best to represent Basarwa in decision-making

### **5.3.2 Consultations Methodology**

Basarwa who comprise more than 80% of both Xere and Kedia populations, were consulted to inform them on the development of the Vulnerable Communities Plan (VCP). The consultations were in line with the principles of free, prior, and informed consultation leading to broad community support as per WB Policy OP 4.10. Consultations were undertaken in the following manner: the sub-project team discussed the proposed sub-project with the communities and identified its positive and negative impacts. The aim was to solicit feedback from the community on how they view the impacts and their views including their concerns and/or objections, if any, on the sub-project in general, obtain their perspectives on mitigation measures and what in their view would enhance project benefits.

The consultations also discussed their views on the grievance mechanism, how they would like to be included in the sub-project, and how they wish to remain informed and engaged throughout its lifecycle. The process includes surveys and interviews, focus groups discussions, and public consultation meetings with the main objective of; informing project beneficiaries on the benefit of the project, advise them on the potential environmental and social impacts that the project can generate during implementation and to receive feedback on potential concerns and solutions.

A Kgotla system<sup>7</sup> was used to engage the community. Prior to Kgotla meeting, the community were sensitized via public address system and formal letters were sent to the Kgotla (Kgosi), VDC, and telephonic communication for follow ups. The meetings were addressed by Enviro Solve Consultancy. After the presentations, communities were offered the opportunity to raise issues and concerns regarding any aspect of the proposed project. Attendance registration forms were circulated during the meetings to capture the number and names of people who attended the meetings. **At the first meeting held in Kedia Kgotla (25 October 2017), the community were asked how they will show support or lack thereof of the project. The community agreed they will use show by hands to indicate support. Those in support were asked to raise their hands and the majority raised their hands.**

### **5.3.3 Findings of the Consultations and Summary of Meeting Outcomes**

Public consultation was done in accordance with the Environmental Assessment (OP 4.01), Indigenous Peoples (OP 4.10) and EIA Act No. 10 of 2010, which requires Interested and Affected Parties to be consulted either through Kgotla meetings, Focus Group Meetings, or one-on-one interviews. The meeting and interviews were held from the 22<sup>nd</sup> to 26<sup>th</sup> of October 2017 and addressed by the Consultant (Enviro Solve Consultants) using official local language which is Setswana to allow for a comprehensive understanding of the proposed development. Focus group discussions were conducted with the community members and VDC representatives in Xere on the 20 March 2019 and in Kedia on the 21 March 2019. In each settlement and on the same dates, the key informant interviews were held with the chiefs and Social & Community Development (S&CD) officers. The dates and findings of consultations are presented in **Table 18**.

### **5.3.4 Dissemination of Information, Disclosure, and Community Consultation**

Three (3) consultative meetings and group discussions were held. The communities are aware of the project and know the roles to play in the implementation of the project. The outcome of this plan will be disclosed to them after the approval of the final plan. 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.

The VCP will be presented at the Kgotla in both Setswana and Sesarwa languages so that the Basarwa can understand it. The VCP and its implementation activities and processes will be communicated to the Basarwa at all stages of implementation using a language and approaches that they will comprehend. It will be made available in hard copies in English for those who can read at: (i) District WUC offices (Rakops); and (ii) with the Village Development

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<sup>7</sup> Kgotla is one of the oldest democracies in the world, and the Kgotla system of Botswana bears testimony of this. The Kgotla is quite simply put, a customary court, public meeting, or community council. Issues that concern the tribe are brought before a Kgotla, where individuals are encouraged to speak openly and freely. The Kgotla upholds the idea of equality.

Committees (VDCs). Electronic versions of the VCP will be placed on the official website of WUC and the official website of World Bank after approval by the Bank.

### 5.3.5 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 GM or GBV/SEA/SH/VAC or COVID-19) 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 and all COVID-19 protocols. Ad hoc meetings will be called to address pressing issues as needed either by the community or by the Project team.

**Table 11** below depicts the proposed schedule for future consultation of vulnerable communities and other stakeholders.

**Table 11: Proposed Schedule for future consultations**

Phase	Activities	Responsibility	Dates
Pre-construction	Inform VCs about commencement of project works	WUC (E&S Specialists)/PLO	2 weeks before the Contractor comes to site
	VCs 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 from the VCs	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 Action Plan and Mapping of Services. The team will include a CLO and S&CD Officer from the local community	WUC GBV Specialist/Gender Dept (and NGOs) and WUC E&S Specialists, CLO, S&CD	3 weeks before construction starts
	Awareness talks on the GM process to the VCs	WUC (E&S Specialists) /PLO/CLO/Kgotla	2 weeks after the Community Liaison Officer is appointed
	Procurement of semi-skilled and unskilled labour from the VCs	WUC/Contractor	Should be 4 weeks before selection process and 4 weeks before application deadline

Phase	Activities	Responsibility	Dates
Construction	Educational talks GBV, SEA, HIV AIDs and VCs 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 implementation of VCP to the VCs	PLO/CLO	Once a month and additional meetings related to urgent issues
Decommissioning (post construction)	Discuss how the VCs can benefit from the project decommissioning, and feedback from the community on the performance of the project	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

**Table 12: Proposed Schedule for future Government and NGOs consultation**

Phase	Activities	Institution Responsible	Dates
Pre-construction	After award of contract – update on project start	WUC (District Officers and E&S Specialists)/PLO	2 weeks before the Contractor comes to site
	Selection of contractor site office	Rakops Sub-Land board, Boteti Sub-District Council	2 weeks before Contactor moves to site
	Use and existence of GM	WUC (District Officers and E&S Specialists)/PLO/CLO	
	Procurement of labour	Kgotla	Should be 4 weeks before selection process and 4 weeks before application deadline
Construction	GBV/SEA/SH/VAC, HIV/AIDs	NGOs such as Botswana Council of Women (BCW), and People's Arts Organization  GIDA  The local Health Post District Health Management Team  Department of Gender Affairs (Letlhakane)	Around the start of construction and once a month during construction) or as agreed with the institutions
	Update policing on project, solicit feedback from policing services and Ministry of Youth, Culture and Sport	WUC (District Officers and E&S Specialists)/PLO/CLO	Once a month (pre-construction kick off meeting 2 weeks prior to construction and once a month thereafter or as agreed with relevant institutions

## **6. ASSESSMENT OF ENVIRONMENTAL IMPACTS**

### **6.1 Introduction**

Potential impacts were identified from key issues raised from previous studies, during the public participation process and from field investigations by the ESIA team of specialists.

The impacts will be split between construction, operation and decommission phases and tabulated. The identified impacts will be assessed to ascertain their significance. Mitigation measures will be suggested to enhance the positive and to reduce the potentially negative impacts. Some of the critical questions, which should be addressed include:

- What impacts (social, economic, and environmental) will result from the construction of the water transfer scheme?
- What will be the extent, magnitude, and duration of those impacts?
- How significant will those impacts be within the local and national contexts?
- What can be done to mitigate, reduce or avoid altogether the adverse impacts identified, and to enhance the positive impacts

The assessment will include an evaluation of the results to the above questions, and will, where possible, include quantification and costing of the impacts and their remedial measures.

### **6.2 Impact Assessment Phase Methodology**

The assessment of impacts will be determined by analyzing the magnitude, significance and duration of potential negative impacts and positive impacts of the development on the environment as well as the various constraints the various environmental factors may have on the development. Short term impacts as well as long term ones will be assessed.

The Impact Assessment Model is applied when considering the effects on all phases of the project. This model has been adopted along with others for undertaking ESIA's and ESMPs in Botswana and we have adopted it based on our experience with its effectiveness in the VCP process. Evaluation of environmental impacts with this model is undertaken to determine the significance of the environmental impacts.

### **6.3 Significance of Environmental Impact = Probability x Consequence**

The consequence of impacts can be described by considering the:

- Severity of impacts; and
- Spatial extent and duration of the impacts.

Combining the consequence of the impact and the probability of occurrence, the overall risk (significance) (**Table 13**) of impacts will be arrived at, as follows:

*Consequence (severity + duration + spatial scale) x probability = significance.*

**Table 13: Consequence and Probability Ranking Scales**

Severity/ Magnitude	Duration	Spatial Scale	Cumulative// Non-Cumulative	Probability
10 – Very High / Do not know	5 – Permanent	5 – International	4–High (Capacity to withstand change and further stress is close to being exceeded)	5 – Definite / Do not know
8 – High	4–Long-term (Ceases after operational life)	4 – National		4 – Highly Probable
6 – Moderate	3 – Medium- term (4-40 years)	3 – Regional	2–Medium (Capacity to withstand change and further stress is reduced)	3 – Medium Probability
4 – Low	2 – Short-term (0-3 years)	2 – Local		2 – Low Probability
2 – Minor	1 – Immediate	1 – Site only	1–Low (Significant capacity to withstand change & further stress)	1 – Improbable
0 – None			0 – Non	0 – None

The maximum value, which can be obtained, is 100 significance points (**SP**). Environmental effects are rated as either of **High, Moderate** or **Low** significance on the following basis:

- SP>60 - Indicates **high** environmental significance.
- SP 30 to 60 - Indicates **moderate** environmental significance.
- SP<30 - Indicates **low** environmental significance.

Practical mitigation measures for the impacts will be discussed including a discussion of the significance of environmental impacts after mitigation.

The overall significance rankings of the negative environmental impacts are judged on the guidelines for decision-making given in **Table 15**.

**Table 14: Guidelines for Decision-making**

Overall Ranking	Significance	Nature of Impact	Decision Guideline
High		Unacceptable	Likely to be fatal flaw.
Moderate		Noticeable/measurable	These are unavoidable consequences, which will need to be accepted if the project is allowed to proceed.
Low		Minor	These impacts are not likely to affect the project decision.

The methodology for assessing impacts presented above allows for clear assessment of both negative and positive impacts while eliminating subjectivity in assessment of impacts. It also shows clearly acceptable impacts whose effects can be ameliorated by implementing mitigation measures, and those that are not acceptable, and in so doing indicating to the decision maker whether a project should proceed or not.

#### **6.4 Description and Assessment of Impacts**

There are several identified impacts for all the project stages and the majority are adverse while there are a few positive impacts as well. Most of the impacts have a short-term duration which means the environment will return to its normal state past construction. Most of the impacts affect a large portion of the region since the project covers most of the villages. Most of the adverse impacts are avoidable and reversible while the positive impacts are irreversible (**Table 15**).

All the impacts were assessed and rated as presented in **Table 15**.



**Table 15: Impact Assessment and Ranking**

<b>Impact</b>	<b>Avoidable</b>	<b>Duration</b>	<b>Spatial Scale</b>	<b>Reversible/Irreversible</b>	<b>Severity/Magnitude</b>	<b>Probability</b>	<b>Significance</b>
Creation of employment	No	Short-term	Regional	Irreversible	Moderate	Highly probable	Moderate
Lack of household water connections	Yes	Long-term	Regional	Reversible	High	Highly probable	High
Lack of water for livestock	Yes	Long-term	Regional	Reversible	Moderate	Highly probable	Moderate
Enhanced socio-economic development	No	Short-term	Regional	Irreversible	Moderate	Medium	Moderate
Possible increase in teenage/unplanned pregnancies	Yes	Short-term	Regional	Irreversible	Moderate	Medium	Moderate
Erosion of Societal Norms and Values	Yes	Short-term	Regional	Reversible	Moderate	Medium	Moderate

## 6.5 Potential Environmental and Social Impacts and Proposed Mitigation Measures

Table 16: Potential Impacts and enhancement/mitigation measures

Impact	Enhancement/Mitigation Measures
<b>Creation of Employment</b>	<ul style="list-style-type: none"> <li>- A quota should be set to employ vulnerable community members</li> <li>- The project will present opportunities for skilled and unskilled labour for the community members, who are willing to be employed and work. This will improve household incomes and can have positive impact if used well.</li> <li>- Consideration will be given to gender balance and people living with disability during the recruitment exercise so that they can benefit from the project and recruitment process should be transparent and fair as far as possible i.e., to be carried at the Kgotla area in the presence of stakeholders (Contractor, WUC, Consultant, Village Development Committee, Traditional Leaders, and job seeking community).</li> </ul>
<b>Lack of household water connections</b>	<ul style="list-style-type: none"> <li>- WUC to ensure that the existing standpipes are functional.</li> </ul>
<b>Lack of water for livestock</b>	<ul style="list-style-type: none"> <li>- Consult the tribal authorities including the VDCs to identify areas with water suitable for livestock</li> <li>- Drill and equip boreholes to provide water for livestock</li> </ul>
<b>Enhanced Socio-Economic Development</b>	<ul style="list-style-type: none"> <li>- The introduction of cash flow in the community through the payments of people employed in the project, will improve the community's buying power. This will provide market for the local produce, small businesses in the community and the service providers.</li> <li>- The local people can also benefit from tender opportunities for supplying materials and small construction subcontracts.</li> </ul>
<b>Possible increase in teenage/unplanned pregnancies</b>	<ul style="list-style-type: none"> <li>- Educate both workers and VCs on contraceptive use</li> <li>- Prohibition of sexually activity between workers and anyone under 18 years and reinforcement of sanction measures</li> <li>- Include GM that is survivor centre so it can be reported sexual contact was unwanted/rape and/or of a minor</li> </ul>
<b>Erosion of Societal Norms and Values</b>	<ul style="list-style-type: none"> <li>- Raise awareness amongst the local communities on various social ills and their implications.</li> <li>- Sensitize the construction workers on community values and norms.</li> <li>- Participate in local crime prevention activities.</li> <li>- Closely liaise with the police and other crime law enforcement authorities to address crime and social problems.</li> </ul>
<b>Possible increase in GBV, SEA, SH, and VAC cases</b>	<ul style="list-style-type: none"> <li>- Raise awareness amongst the vulnerable communities on GBV, SEA, SH, and VAC</li> <li>- Monitoring of Codes of Conduct of Workers</li> <li>- Sensitization training workshops for adolescents and VCs on sexuality issues</li> </ul>
<b>Possible increase in HIV/AIDS cases</b>	<ul style="list-style-type: none"> <li>- Raise awareness amongst the vulnerable communities on HIV/AIDS prevention</li> <li>- Avail testing facilities on days of training</li> <li>- Provide condoms on training days</li> </ul>
<b>Possible increase in COVID-19 cases</b>	<ul style="list-style-type: none"> <li>- Raise awareness amongst the vulnerable communities on COVID-19</li> <li>- Provide rapid testing on training days</li> <li>- Educate on the importance of taking vaccines and booster shots</li> </ul>
<b>Possible increase in alcohol and substance abuse</b>	<ul style="list-style-type: none"> <li>- Raise awareness amongst the vulnerable communities on dangers of alcohol and substance abuse</li> <li>- Encourage peer counselling</li> </ul>

## **7. THE VULNERABLE COMMUNITY PLANS (MITIGATION AND MONITORING)**

The social assessment identified risks of the proposed project to the vulnerable community in Kedia and Xere Settlements. Those risks were analysed to establish their impact level and details for example, severity and significance. 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 addition to that a monitoring plan was also drawn. (See **Tables 17 and 18** below).

### **7.1 Potential Benefits of the Water Transfer Scheme**

- Improved access to potable water, improved health outcomes
- Improved livelihoods of the beneficiaries including VCs and non-VCs.
- Improved hygiene of beneficiaries
- Temporary employment creation
- Opportunity to boost local economy by supplying locally available materials and services.
- Provide education for unskilled workers to be able to be hired.
- Improved accessibility of water to those who do not have access to functioning standpipes/no community standpipe in their vicinity

### **7.2 Potential Adverse Impacts of the Vulnerable Communities**

- Lack of household water connections
- Lack of water for livestock
- Possible increase in teenage/unplanned pregnancies
- Possible increase in GBV, SEA, SH, and VAC cases
- Erosion of societal norms and values
- Possible increase in HIV/AIDS cases
- Possible increase in COVID-19 cases
- Possible increase in alcohol and substance abuse

**Table 17: Mitigation Plan and Cost Estimates**

Impact to be Mitigated/ Enhanced Issue to be Addressed	Management Objectives	Mitigation Measures/Action	Time Period	Responsibility for Implementing Mitigation Measures	Estimated Cost (BWP)
Creation of employment	To ensure that the Vulnerable community members get equal opportunity for employment during the project implementation.	<ul style="list-style-type: none"> <li>As much as possible, labour should be sourced from local communities, with special attention paid to Kedia and Xere</li> <li>Consideration should be given to gender balance during the recruitment exercise</li> <li>Recruitment process should be transparent and fair as far as possible i.e., to be carried at Kgotla in all the settlements in the presence of the community leadership</li> <li>Job advertisements should be put up at strategic locations such as tribal administration office notice boards to ensure equitable information dissemination.</li> </ul>	Throughout the project period	Contractor	No cost
Lack of household water connections	To ensure that vulnerable community members are provided access to water.	<ul style="list-style-type: none"> <li>WUC to ensure that the existing standpipes are functional.</li> </ul>	Throughout the project period	Contractor WUC Community Leadership	P 200, 000.00
Lack of water for livestock	To provide water for livestock	<ul style="list-style-type: none"> <li>Consult the tribal authorities including the VDCs to identify areas with suitable water for livestock</li> <li>Drill and equip boreholes to provide water for livestock</li> </ul>	Throughout the project period	Contractor Community Leadership	P 250, 000.00
Enhanced socio-economic development (livelihoods)	To enhance the community economic opportunities	<ul style="list-style-type: none"> <li>Uphold measures geared towards citizen empowerment and skills transfer</li> <li>Embark on projects social responsibility to uplift livelihoods</li> <li>Optimize and upgrade water transmission infrastructure for reticulation efficiency.</li> <li>Implement a water supply strategy that is reasonably priced to ensure adequate, reliable, and sustainable water supply system for the villages.</li> </ul>	Throughout the project period	Contractor WUC S&CD Community Leadership	No Cost
Possible increase in teenage/unplanned pregnancies	To avoid teenage/unplanned pregnancy among VCs	<ul style="list-style-type: none"> <li>Educate both workers and VCs on contraceptive use</li> <li>Prohibition of sexually activity between workers and anyone under 18 years and reinforcement of sanction measures</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Teachers	P 60,000.00
Erosion of societal norms and values	To avoid social ills and crime and ensure that the community's norms and values are well-maintained	<ul style="list-style-type: none"> <li>Raise awareness amongst the vulnerable communities on various social ills and their implications.</li> <li>Sensitize the construction workers on community values and norms.</li> <li>Participate in local crime prevention activities.</li> <li>Closely liaise with the police and other crime law enforcement authorities to address crime and social problems.</li> </ul>	Throughout the project period	Contractor District Crime Prevention Committee Botswana Police Chief	P 60, 000.00
Capacity building trainings on HIV/AIDS prevention	To prevent new HIV/AIDS infection	<ul style="list-style-type: none"> <li>Raise awareness amongst the vulnerable communities on HIV/AIDS prevention</li> <li>Avail testing facilities on days of training</li> <li>Provide condoms on training days</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Village Development Committee CLO Teachers	P 100,000.00
Possible increase of COVID-19 cases	To prevent COVID-19 infections	<ul style="list-style-type: none"> <li>Raise awareness amongst the vulnerable communities on COVID-19</li> <li>Provide rapid testing on training days</li> <li>Educate on the importance of taking vaccines and booster shots</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Village Development Committee CLO	P 50,000.00

Impact to be Mitigated/ Enhanced Issue to be Addressed	Management Objectives	Mitigation Measures/Action	Time Period	Responsibility for Implementing Mitigation Measures	Estimated Cost (BWP)
				Teachers	
Possible increase on GBV, SEA, SH, and VAC cases	To prevent GBV, SEA, SH, and VAC cases	<ul style="list-style-type: none"> <li>▪ Raise awareness amongst the vulnerable communities on GBV, SEA, SH, and VAC</li> <li>▪ Monitoring of Codes of Conduct of Workers</li> <li>▪ Sensitization training workshops for adolescents and VCs on sexuality issues</li> <li>▪ Awareness-raising in the community of the existence and mechanics of the grievance mechanism</li> <li>▪ Create common awareness about GBV and VAC and ensure a shared understanding that they have no place in the project</li> <li>▪ Create a clear system for identifying, responding to, and sanctioning GBV and VAC incidents</li> <li>▪ If a concern of a highly sensitive nature is raised such as gender based violence (GBV) or Sexual Harassment Exploitation and Abuse (SHEA), VACs, the CLO shall invoke the special procedures related to GBV/SHEA/VACs and will ensure the the anonymity and confidentiality of the survivor.</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Village Development Committee Botswana Police CLO Teachers	P 50,000.00
Possible increase on alcohol and substance abuse	To prevent increase on alcohol and substance abuse	<ul style="list-style-type: none"> <li>▪ Raise awareness amongst the vulnerable communities on dangers of alcohol and substance abuse</li> <li>▪ Encourage peer counselling</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Village Development Committee Botswana Police CLO Teachers	P 50,000.00
Capacity building of Grievance Mechanism (GM)	To provide information on where VCs can lodge their complaints about the project	<ul style="list-style-type: none"> <li>▪ Raise awareness amongst the vulnerable communities on grievance mechanism</li> <li>▪ Provide a GM flow chart on the Kgotla Notice Board</li> <li>▪ Provide Contacts of the CLO on the Kgotla Notice Board</li> </ul>	Throughout the project period	Contractor District Health Team Social Worker Settlement Extension Team Village Development Committee CLO Teachers	P 50,000.00
				<b>Sub-Total</b>	<b>P 970,000.00</b>
				<b>Contingency (10%)</b>	<b>P 97,000.00</b>
				<b>Grand Total</b>	<b>P 1, 067,000.00 (US\$106,700.00)</b>

**Table 18: Monitoring Plan**

Issue	The Parameter to be Monitored	Monitoring Objective	Location of Monitoring	Key Performance Indicator	Method of Monitoring	Responsible Agent for Monitoring	Frequency of Monitoring
Creation of employment	The number of vulnerable community members employed in the project	To ensure that the vulnerable community members benefit from the project employment opportunities	Project Site Offices	Presence of Basarwa as part of the work teams  Number of hours they work  Conditions of their service	Documents review	Enviro Solve, PIU, WUC, Department of Labour and Home Affairs	Monthly during the Project Implementation phase
Lack of household water connections	Plot Connections	To promote good water management	<ul style="list-style-type: none"> <li>▪ Xere &amp; Kedia</li> <li>▪ Community</li> </ul>	Number of Plot connections	Observation Documentation Proof	WUC	Monthly throughout the Project
Lack of water for livestock	Availability of water for livestock	To provide water for livestock	Xere & Kedia	Presence of drinking water for livestock	Observation	WUC, PIU, Community Leadership	Monthly throughout the project
Enhanced socio-economic development (livelihoods)	Purchasing power and sales	To enhance socio-economic development	Xere & Kedia VC	Number of people employed by the project	Review of employment records	WUC PIU	Monthly throughout the project
Possible increase in teenage/unplanned pregnancies	Incidences of teenage /unplanned pregnancy	To avoid teenage/unplanned pregnancy among VCs	Xere & Kedia - VC - Community - S&CD office	Number of cases recorded	Social Monthly Monitoring Report	WUC, PIU, District Health Management Team, S&CD office	Monthly throughout the project
Erosion of Societal Norms and Values	Acts of violation of social norms and values	To prevent erosion of Societal Norms and Values	<ul style="list-style-type: none"> <li>▪ Xere &amp; Kedia</li> <li>▪ PIU</li> <li>▪ Tribal Office</li> <li>▪ S&amp;CD office</li> </ul>	Limited and isolated cases related to the Social Monthly Monitoring Report project	Social Monthly Monitoring Report	WUC, PIU, District Crime Committee, Community Leadership	Monthly throughout the project
Vulnerable Community Monitoring	Participation of VCs in the monitoring of the VCP	To encourage accountability	<ul style="list-style-type: none"> <li>▪ Xere &amp; Kedia</li> <li>▪ PIU</li> <li>▪ Tribal Office</li> </ul>	Increased number of VC members participating in the project	Social Monthly Monitoring Report	WUC, PIU, Resident Sociologist Contractor's CLO CLO District Health Management Team, S&CD office	Monthly throughout the project
Possible increase of teenage pregnancy, HIV/AIDS, COVID-19, GBV, SEA, SH, and VAC, Alcohol and substance abuse cases	Capacity building trainings and workshops	To prevent increase in cases recorded	<ul style="list-style-type: none"> <li>▪ Xere &amp; Kedia</li> <li>▪ PIU</li> <li>▪ Tribal Office</li> </ul>	Number of trainings done	Social Monthly Monitoring Report	WUC, PIU, Resident Sociologist Contractor's CLO CLO District Health Management Team, S&CD office	Monthly throughout the project

## 8. FINANCIAL PLAN

**Table 19** below presents a summary of cost associated with the implementation of this VCP. As over 80 percent of both settlements comprises the Vulnerable Community, this financial plan is embedded in the costs associated with the ESIA/ESMP. There is no RAP prepared for this project as there is no resettlement (economic or physical) expected.

**Table 18: Summary of Implementation Cost**

Activity	Time Frame	Budget (Pula)	Responsibility
<b>Capacity Building</b>			
<b>Capacity building of VCs involved in monitoring the implementation of the VCP implementation (See Cost Details in Table 4)</b>	Within first 9 months of project implementation	120,000.00	WUC
<b>VCP Implementation, Monitoring, Evaluation and Reporting</b>			
<b>Regular monitoring of Project site and VCP activities including GM Implementation</b>	Entire project period, of 15 months and defect liability of 12 months – monthly with periodic reporting	Budgeted for under the ESMP	WUC & Consultant
<b>VCP implementation of mitigation measures (See Cost Details in Table 5)</b>	Before and during construction	1, 067,000.00	WUC & Contractor
<b>VCP implementation of mitigation measures</b>	During operations and maintenance annually	Part of Operational Cost	WUC
<b>Implementation of GM (See Cost Details in Table 7)</b>	Before and During construction	530,000.00	WUC
<b>TOTAL</b>		<b>P1,817,000.00 (USD181,700.00)</b>	

## **9. GRIEVANCE MECHANISM (GM)**

### **9.1 Introduction**

A grievance mechanism is necessary for addressing the concerns of Project Affected People and other stakeholders. It is anticipated that some of these grievances 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 Committee.
- 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 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.

### **9.2 General Principles and Key Aspects of the GM**

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 Mechanism are:

- The community including VCs need to be informed about the Grievance 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)
- 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.

### **9.3 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 (GC) members.
- Multiple grievance uptake locations and multiple channels for receiving grievances (project hotline, project website, Facebook page, WhatsApp blasts, 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 GM chapter).
- A reliable and effective reporting and recording system (grievance register, complaints logbook – hard copy.)
- Procedure for assessing and responding to the grievance.

### **9.4 Responsibilities for Implementing Stakeholder Engagement Activities**

#### **9.4.1 Roles and Responsibilities**

The 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 (GC). 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 to obtain further information and resubmit the case to the GC. The complainant will be notified that further information is being collected and kept informed about the status.

#### **9.4.2 Community Liaison Officers (CLOs)**

The 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 GC. 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 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 GC.
- 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 GM
- Facilitate communication which in the form of reports 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 GC are implemented and advising PIU during ESMP and RAP implementation, and 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 the anonymity and confidentiality of the survivor.

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 also be 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 GC and record them in the grievance logbook.

The 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 GC. For illiterate persons, CLOs will assist them to write and submit complaints. To be sure that the adequate confidentiality well be kept, the Project will issue a code of conduct to be signed by the VDC and community liaison officers.

#### **9.4.3 The Grievances Committee (GC)**

The GC will be responsible for receiving and resolving in a fair, objective, 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.

#### **9.4.4 Composition and Membership of the Grievance Committee (GC)**

The GC will meet as and when required, at least once per month. The complaints will be submitted to the Project Grievance Redress Committee (GC). It will be created with a clear term of reference (TOR) and will reflect the principles, expected behaviors, responsibilities, and duties as outlined in this GM.

Specific Grievance Mechanism for conflict prevention and resolution at the project level has been devised in consultation with the affected communities, including Vulnerable Communities and has received their broad community support. In projects where there are Vulnerable Communities, there will be at least one VC on the GC as agreed with the VC during consultations.

The GC shall maintain all records from complaint to final decisions made by the GC 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 GC 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 GC will rotate amongst the Committee Members depending on the issues to be considered by the Committee.

The GC 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 Environmental Consultant)
- Community Liaison Officer (Secretary)
- NGO representing Basarwa ( e.g. Kwedom Council, San Youth Network)

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

The broad responsibilities of the GC 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 Mechanism.

#### **9.4.5 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.

#### 9.4.6 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 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 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 and VAC incidents

Three codes of conduct must be adhered to in this project (full Codes are in the **ESMP Report**):

- 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.

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 PIU safeguards team to bring to the GC 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 (GBV SSVT).

The GBV SSVT will include, as appropriate to the project, at least five 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 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 Gender-based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VACs).
5. A Police Officer with experience in Gender-based Violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), and Violence Against Children (VACs).

#### **9.4.7 Community Level Grievance Mechanism**

Local communities have existing traditional and cultural Grievance 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. 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 Labour 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 GC, if the community so chooses.

#### **9.4.8 Project Level Grievance 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 dispute, 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 GM will have a body, the GC 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.

### **9.5 GM Procedures**

The community will be informed and sensitized about the use of an existence of the GM (through radio notices, TV, community meetings, community signage, Kgotla, CLOs, PLOs) of the various uptake options where complaints can be submitted. The 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 PIU Safeguards Team will then organize a meeting for the GC 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 GC 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 GM 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 the 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 GM 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 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. The CLOs are responsible for ensuring that they collect all grievances so that they can update the PIU logbook and their logbook.

## **9.6 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, 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.

## **9.7 Grievance Mechanism 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 GC.
- Receive, register and acknowledge complaint.( See the GR log in **Annex 5**
- 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 20** with suggested timeframe and responsibilities.

**Table 19 : Grievance 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	GC 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 and solicit response from complainant if claim has been fully addressed or not.	Where complainant is not satisfied, inform complainant of escalation process.  If satisfied or not, ensure grievance logbook is updated.	1-2 days after deciding on a grievance by the GC	CLO



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 GC 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

## 9.8 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:

- CEO – WUC
- Technical Services Director
- Water Resources Director
- Chief Financial Officer
- Senior Manager – Supply Chain
- Controls Coordinator
- Corporation Secretary
- Project Coordinator
- Project Planner

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.

### 9.8.1 Judiciary Level Grievance Mechanism

The project level GM 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.

## 9.9 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 - centred 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 and VAC will be implemented. By doing so, the Contractor will first establish a 'GBV 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 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

#### **9.10 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 are 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 monitors)*: 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 GC.*
- *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

#### **9.11 Good Communication and Information Sharing Practice**

- 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 an sms to the CLO/Resident Engineer
- There will be an accessible grievance/complaints boxes in community areas which will be checked daily. For those who cannot write, xxx 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 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 if they are anonymous or not. 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 GC is notified.
- There will be specific training for the GC and the CLO to ensure quality control of the GM process.

### 9.12 Monitoring

The grievance log that will be used to monitor and track the GM and which will be reviewed regularly for accuracy and compliance to the GM 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.

### 9.13 Estimated Cost of GM Implementation

The detailed cost of implementing the GM is presented below in **Table 21**. This cost has already been included in the overall costing of the ESMP as follows:

**Table 20 : Costing of the GM Implementation**

Activity	Time Frame	Budget (Pula)/USD	Responsibility
<b>GM Implementation and Monitoring</b>			
Allowances for GC Members	Throughout the Project	(P500.00 per sitting) x Members x Once month x 15 months x 6 P45,000.00 (USD4,500.00)	WUC
Monthly Stipends for Community Liaison Officers	Throughout the Project	(P600.00 per month) x 4 settlements x 17 months P40,800.00 (USD4,080.00)	WUC
GM Publicity Material and Stationery	Throughout the Project	P250,000.00 (USD25,000.00)	Contractor
Capacity building and awareness for all	Throughout the Project	P129,200.00 (USD1,292.00)	Contractor

representatives on GM as well as the community			
Sub Total		P 465,000.00	
14 percent contingency		P 65,000.00	
<b>Total</b>		<b>P 530,000.00</b> <b>(US\$ 53,000.00)</b>	

## **10. IMPLEMENTATION MEASURES AND ARRANGEMENTS**

The success of the implementation of a Vulnerable Community Plan requires a holistic approach of different sectors and institutions at the local and district level, and sometimes even the national level. In the case of this VCP the following institutions are key players, and their roles are specified as follows:

### **10.1 Water Utilities Corporation (WUC)**

The WUC is the project owner, by that position it will oversee the implementation, monitoring and evaluation of the VCP. The cooperation WUC will be responsible for funding the activities of this VCP.

WUC is tasked with the supplying of potable water to all urban centres and village in the country, as well as managing wastewater under the Water Sector Reforms Programme (WSRP), therefore it leads the implementation of the Botswana Emergency Water Security and Efficiency Project on behalf of the country. Provision of sustainable water and wastewater management services in a cost effective and environmentally friendly manner to the economy of Botswana is its mission. This includes all necessary activities; planning, constructing, operating, treating, maintaining, and distributing water resources in the country's urban centres and other areas mandated by the Botswana Government.

### **10.2 Department of Environmental Affairs**

The Department of Environmental Affairs (DEA) is an institution within the Ministry of Environment, Natural Resources Conservation and Tourism that has been mandated with the responsibility to protect and improve the quality and safety of the environment by promoting conservation and sustainable use of natural resources. The major task of the Department of Environmental Affairs in the country's development and conservation matters is to receive and review Environmental Impact Assessments on environmental and social impacts of plans, programmes, and projects. During implementation of projects nationally that have been identified to have potential environmental risks, DEA do the audits and demands monthly monitoring reports to ensure adequate implementation of the mitigation measures for adverse impacts.

### **10.3 Boteti Sub-District Council**

Botswana is divided into districts and each district has a council for administration purposes and are under the Ministry of Local Government. Some Districts because of their sizes they are subdivided into sub-districts. The Councils are responsible for the development of their areas of jurisdiction and are expected to exercise good governance. The Councils are named after the districts or the sub-districts. The Local Government (District Council) Act under Section 31 specify the duties of Councils as follows:

- Provide primary schools and other educational services in relation to primary education.
- Provide sanitary services for the removal and disposal of refuse.

- Safeguard and promote public health and prevent the occurrence of any outbreak or prevalence of any disease.
- Construct and maintain public roads and streets other than those constructed and maintained by the central Government.
- Act as fire authorities to maintain fire brigades and to be responsible for the extinction of fires and protect life and property in case of fire.
- Control urban building design and standards.
- Organize the collection, retention and where applicable, sale of lost cattle (Matimela)
- Establish, maintain, and control markets.
- The Councils also have a Social and Community Development Department, which deals with social protection issues including taking care of vulnerable people in the society, identifying them, and ensuring that they receive the appropriate social safety net interventions from the Government.
- The Department of Environmental Health is also another department under the Council which has the mandate to regulate health, safety, and welfare of employees as well as help to manage waste in the villages and towns in the district.

The Council has different departments and some of the proposed mitigation measures are part of mandates of those departments. Therefore, they will play a role in the implementation, monitoring and evaluation of the VCP at different stages where their mandates are applicable.

#### **10.4 Department of Labour and Home Affairs**

This is a government institute that will deal with all labour matters between the employer and employees. It is mandated to promote gender equality, provide labour, occupational health and safety, civil registration, migration, citizenship and coordinate vocational training.

#### **10.5 District Health Management Team (Health Post)**

The health team (staff, health committee and home-based care volunteers) will play an important role during the implementation of the project. They will lead the campaigns on health matters, prevention and cure of diseases and prevention unwanted pregnancies. They will provide the following:

- Provision of medical check-up and examination for potential employees
- Respond to medical emergencies
- Provide monthly services for HIV/AIDS, High and Low Blood Pressure and other diseases that people seek monthly care support for
- Provide health support, education, and awareness
- Provide health care and prevention services.

#### **10.6 Community Leadership (Kgosi, Councilor, and VDC)**

- Community members – they will be employed where and when possible and once employed they will have to understand and comply with the conditions of service as set by the contractor.

- Community Leadership – the Kgosi, his deputies, the village councillor and the VDC will have to understand the responsibilities and commitments of the contractor to the community and to the employees. This will help in their monitoring of the VCP and in attending to the grievances related to the project implementation and the vulnerable people.

## **10.7 Contractor**

To ensure that the project implementation does not alienate the vulnerable people (Basarwa) within the community, the contractor would have to ensure that the unskilled labour is sourced from within the community and the Basarwa people are hired and compensated as guided by the Ministry of Employment, Labour Productivity and Skills Development and in line with the Employment Act Cap 47:01. Where possible even the semi-skilled labour should be from the communities and attention is paid to the number of Basarwa people employed in the project from Kedia and Xere Settlements.

The contractor will work with the community leadership and other key stakeholders on the campaigns and awareness activities on health, social ills, and crime prevention in the community during the project implementation period. The contractor will provide funding for those activities and help the implementation of the VCP. The contractor will also hire a community member as a Community Liaison Officer who will act as a link between the project and the community.

## 11. MONITORING PLAN

The VCP is put in place to ensure that the potential impact identified during the social assessment are addressed and mitigated in a way that will safeguard the vulnerable communities. Throughout the implementation of the project there will capacity building trainings and workshops for vulnerable communities on HIV/AIDS, COVID-19, GBV, SEA, SH, and VAC, teenage pregnancy and alcohol and substance abuse. Therefore, the implementation of the VCP should be accompanied by well thought internal and external monitoring and evaluation system. The monitoring and evaluation system will assist to confirm that the implementation comply with the policies, proposed measures are executed according to the plan, and they are achieving what was expected, if not it could be reworked and how to ensure that the expected benefit is achieved. The monitoring plan is presented in **Table 19**.

The monthly monitoring and evaluation program for the VCP will be conducted and an update given to implementing partners. If there are areas that need attention, that will be discussed, and adjustment be enabled if necessary.

Objectives of monitoring and evaluation system for VCP:

- To establish if the activities of the plan are consistent with the intended impacts and effects to be achieved through the mitigation measure
- To ensure that the plan is implemented in an efficient way and resources are spent wisely.
- To identify the strengths and weaknesses of the plan and propose adjustment if needed
- To ensure that the implementation of the plan does not erode the societal values and norms of the vulnerable community.
- To ensure active participation of all key stakeholders in the implementation of the VCP so that there is continuation beyond the project life.

WUC as the project proponent will conduct the monthly monitoring and evaluation for the VCP implementation. WUC will analyse the findings and make recommendations in discussion with the implementing partners and prepare a report to be submitted to World Bank.

The monitoring and evaluation will give an indication of whether the VCP is doing well or not, and it will guide the disbursement of the funds for the plan activities. During the process of implementation an external monitoring and evaluation person or firm would have to be engaged to evaluate the progress of the VCP implementation and establish whether all the procedures are followed and the stakeholders as well as the Basarwa are actively involved in the implementation and the set objectives are being achieved.



## **12. VALIDATION AND DISCLOSURE**

The VCP will be presented to vulnerable communities during validation workshops in a language that the vulnerable community understands, and amendments incorporated to the plan based on feedback and inputs from the vulnerable communities. Once the plan had been cleared by the Bank, copies will be left at strategic points such as Kgotla, VDC office for access by vulnerable communities and other interested parties. The plan and its implementation activities and processes will be communicated to the Basarwa at all stages of implementation. Leaflets, flyers, posters, and public consultations will be some of the methods used for the VCP disclosure. The produced reports will be posted on the WUC/World Bank website after having been cleared for compliance by the World Bank.

## **ANNEX 1: MINUTES OF CONSULTATION MEETINGS**

**Date: April 2019**

**Venue: Xere Settlement**

<b>1.0 Self-Introductions</b>
The Enviro Solve Consultants Team introduced itself and the proposed project and requested the locals for a discussion around project issues. The locals agreed to the discussions and stated that they welcomed the water provision project and felt that it is long overdue.
<b>1.1 Xere Settlement</b>
The settlement was founded in 2002 as a resettlement centre for the San people who were relocated from Molapo area inside the Central Kalahari Game Reserve. The San people in the area re of the Xanikhwe group.
<b>1.2 Water Situation</b>
<p>During consultations it was indicated that there is a very serious shortage of water in both settlements, and it affects the community's livelihoods. Water is piped from a borehole in Rakops into a tank for both the community, and the schools. There is one public standpipe in each settlement, and in schools. The community can stay for 2 days to 1 week without water supply, especially when the engine is not working. During such period even the school closes because the children could not bath, and the school uniforms could not be washed. Also, meals cannot be prepared at school when there is no water. In addition to that the school cannot do Agricultural practical lessons with students as there is no water for watering gardens. Several projects could not be implemented due to lack of water; LIMID, and poverty eradication programmes, and other Government economic empowerment programs even if the community members are interested in them due to shortage of water.</p> <p>Underground water is very salty and cannot even be consumed by livestock, to an extent that some Xere livestock owners drilled their own boreholes to water their livestock.</p> <p>Underground water is very salty and cannot even be consumed by livestock, therefore although there are private boreholes around, they cannot be used for community water needs.</p> <p>The community can stay for a week or two without water supply, especially when the engine is not working. During such period even the school closes because the children could not bath, and the school uniforms could not be washed. Also, meals cannot be prepared at school when there is no water. In addition to that the school cannot do Agricultural practical lessons with students as there is no water for watering gardens.</p> <p>Queueing for water has very negative impacts on the community as it leads to fights that divide people. Some people cheat during the process and fights and arguments erupt. Waiting in lines for water also takes a lot of time that could be used for productive activities. Some of the people come with many containers to the line and disadvantages others. After collecting the water, they sell it to other community members.</p>
<b>1.3 Livelihoods</b>
<p>There are no sustainable employment opportunities in the area, most people rely on Ipelegeng Program which hires people on rotational basis. People are employed one month and then the next month another batch of people employed and those who worked the previous month make room for others. The salaries for the program, are also very minimal; P550.00 for employees and P600.00 for supervisors who are also community members picked from the Village Development Committee members.</p> <p>In addition, Ipelegeng there are a few people depend on piece jobs that are not also frequent, and some are employed as livestock herders.</p> <p>There is high youth unemployment, even those who have done some courses at the Brigade find it difficult to look for jobs outside their settlement because they cannot afford paying rent as they do not have relatives in areas like Letlhakane to stay with. Some of the youth who have done Form 3 or Form 5 and did not do well; do not get opportunities to further their education because of lack of funding.</p>

<p><b>Social Safety Programs</b></p> <p>The communities reported that they depend mostly on the Government Social Safety Nets administered by the Social and Community Development officers, under the Ministry of Local Government.</p> <p>They include:</p> <ul style="list-style-type: none"> <li>i) Orphan Package</li> <li>ii) Needy Children</li> <li>iii) Destitute Package</li> <li>iv) Old Age Pension</li> </ul>
<p><b>1.4 Causes of Poverty</b></p> <p>The locals indicated that lack of water is one of the main causes of poverty in their area, although there are other factors. They alluded that through the Government programs for eradicating poverty and economic empowerment some of them were given livestock (cattle and goats), but they lost them due to lack of water. They also cannot access funding and support for the water demanding projects like gardening and brick moulding.</p> <p>The other factors cited as causes of poverty were lack of electricity and poor communication networks including poor undeveloped roads linking the settlement with major villages where they could access services and facilities.</p>
<p><b>1.5 Health</b></p> <p>Lack of water in the settlement affects the health of the community.</p> <p>When there is no water brought to the village by Council to fill the community tank, they resort to drinking salty water from the boreholes and it causes diarrhoea.</p> <p>Babies who are not breast fed, when the salty water is used to prepare the feeding formula it gives them running stomach that in most cases result in dehydration.</p>
<p><b>1.6 Experiences with Labour Camps in the Community</b></p> <p>The community cited expected negative and positive impacts associated with the labour camps. These was informed by the previous experiences.</p> <p><b>Positive Impacts.</b></p> <ul style="list-style-type: none"> <li>- Employment creation</li> <li>- Attainment of skills</li> <li>- Improved opportunities for local economy</li> </ul> <p><b>Negative Impacts.</b></p> <ul style="list-style-type: none"> <li>- Social ills</li> <li>- School dropouts</li> <li>- Families and relationships breakups</li> <li>- Spread of diseases like STDs and HIV/AIDS</li> <li>- Crime</li> <li>- Unwanted pregnancies</li> <li>- Contractors going without paying employees</li> </ul>
<p><b>1.7 Agriculture</b></p> <p>In Kedia and Xere Settlements the Basarwa reported that they keep livestock but in very small numbers and plant very small pieces of land during the rainy season for their household consumptions. They mainly plant maize, watermelons, and beans. Even those who have cattle face difficulties when they want to sell their livestock because they need a permit to do so. The permit should be signed by the chief and the Agricultural Officers who do not have offices in the settlement. If they want to slaughter and sell the meat, they need the permit and must take the animal to an abattoir for slaughtering as per the policy of the Department of Public Health. In the Boteti area the abattoir is in Rakops Village and is privately owned, which means they must pay for transporting the cow to Rakops Village and pay for slaughtering at the abattoir.</p>
<p><b>1.8 Natural Resources</b></p> <p>The Basarwa still need to collect some veld products for consumption and to use as building materials, but they are no longer free to do so as Government through the Department of Forestry and Range Resources requires them to apply for permits for collection of such. The permits are applied for at Letlhakane and are paid for. And they must pay for transport</p>

to Letlhakane and back. If they go into the bush and collect veld products without permits, they may be arrested by officers who are on patrols. They also do not have clear information on which veld resources they are required permits for. The veld products that they still want to harvest and at times are poles from trees and thatch grass for building huts and Mopani worms, wild vegetables (*Rothwe* and *Thepe*) and wild fruits like berries for consumption.

<b>Present:</b>	
<b>Enviro Solve Consultancy</b>	
1.	Desmond Mosweu
2.	Rosinah Masilo-Ragas'
<b>Kedia Settlement</b>	
1.	Kgosi. Simane Akanyang
2.	Mrs. Hilda Molefe
3.	Mr. Taolo
4.	Maikutlo Kenosi
5.	Judge Kgokong
6.	Monyadi Baobame
7.	Lesego Toteng
8.	Lerothodi Kgoletso
9.	Moithoi L. Bothata
10.	Gogannemang Gabohithwe

## **MINUTES OF FOCUS GROUP DISCUSSIONS**

**Date: April 2019**

**Venue: Kedia & Xere Settlements**

<b>1.0 Self-introductions</b>
The Enviro Solve Consultants Team introduced itself and the proposed project and requested the locals for a discussion around project issues. The locals agreed to the discussions and stated that they welcomed the water provision project and felt that it is long overdue.
<b>1.1 Kedia Settlement</b>
Was established in 1979 by San groups who were settled in the area so that Government could provide them with services, and they start living a sedentary lifestyle. It currently has five (5) wards; Kgautse, Cheke, Mogamedi, Dombi and Mmegwa. The Kgautse, Cheke and Mogamedi wards are made up of Basarwa people, while Dombi and Mmegwa are the Kalanga people who later settled with the Basarwa.
<b>1.1 a) Xere Settlement</b>
The settlement was founded in 2002 as a resettlement centre for the San people who were relocated from Molapo area inside the Central Kalahari Game Reserve. The San people in the area re of the Xanikhwe group. There are three wards in the settlement and are all dominated by the san people.
<b>1.2 Water Situation</b>
During consultations it was indicated that there is a very serious shortage of water in both settlements, and it affects the community's livelihoods. Water is piped from a borehole in Rakops into a tank for both the community, and the schools. There is one public standpipe in each settlement, and in schools. The community can stay for 2 days to 1 week without water supply, especially when the engine is not working. During such period even the school closes because the children could not bath, and the school uniforms could not be washed. Also, meals cannot be prepared at school when there is no water. In addition to that the school cannot do Agricultural practical lessons with students as there is no water for watering gardens. Several projects could not be implemented due to lack of water; LIMID, and poverty eradication programmes, and other Government economic empowerment programs even if the community members are interested in them due to shortage of water.
<b>1.3 Livelihoods</b>

There are no sustainable employment opportunities in the area, most people rely on Ipelegeng Program which hires people on rotational basis. People are employed one month and then the next month another batch of people employed and those who worked the previous month make room for others. The salaries for the program, are also very minimal; P550.00 for employees and P600.00 for supervisors who are also community members picked from the Village Development Committee members.

In addition, Ipelegeng there are a few people depend on piece jobs that are not also frequent, and some are employed as livestock herders.

There is high youth unemployment; even those who have done some courses at the Brigade find it difficult to look for jobs outside their settlement because they cannot afford paying rent as they do not have relatives in areas like Letlhakane to stay with. Some of the youth who have done Form 3 or Form 5 and did not do well; do not get opportunities to further their education because of lack of funding.

#### **Social Safety Programs**

The communities reported that they depend mostly on the Government Social Safety Nets administered by the Social and Community Development officers, under the Ministry of Local Government. They include:

- i) Orphan package
- ii) Needy Children
- iii) Destitute Package
- iv) Old Age Pension

#### **1.4 Causes of Poverty**

The locals indicated that lack of water is one of the main causes of poverty in their area, although there are other factors. They alluded that through the Government programs for eradicating poverty and economic empowerment some of them were given livestock (cattle and goats), but they lost them due to lack of water. They also cannot access funding and support for the water demanding projects like gardening and brick moulding.

The other factors cited as causes of poverty were lack of electricity and poor communication networks including poor undeveloped roads linking the settlement with major villages where they could access services and facilities.

#### **1.5 Health**

Lack of water in the settlement affects the health of the community.

When there is no water brought to the village by Council to fill the community tank, they resort to drinking salty water from the boreholes and it causes diarrhoea.

Babies who are not breast fed, when the salty water is used to prepare the feeding formula it gives them running stomach that in most cases result in dehydration

#### **1.6 Experiences with Labour Camps in the Community**

The community cited expected negative and positive impacts associated with the labour camps. These was informed by the previous experiences.

##### **Positive Impacts.**

- Employment creation
- Attainment of skills
- Improved opportunities for local economy

##### **Negative Impacts.**

- Social ills
- School drop-outs
- Families and relationships breakups
- Spread of diseases like STDs and HIV/AIDS
- Crime
- Unwanted pregnancies
- Contractors going without paying employees

#### **1.7 Agriculture**

In Kedia Settlement the Basarwa reported that they keep livestock but in very small numbers and plant very small pieces of land during the rainy season for their household consumptions. They mainly plant maize, watermelons, and beans. Even those who have cattle face difficulties when they want to sell their livestock because they need a permit to do so. The permit should be signed by the chief and the Agricultural Officers who do not have offices in the settlement. If they want to slaughter and sell the meat, they need the permit and must take the animal to an abattoir for slaughtering as per the policy of the Department of Public Health. In the Boteti area the abattoir is in Rakops Village and is privately owned, which means they must pay for transporting the cow to Rakops Village and pay for slaughtering at the abattoir.

### 1.8 Natural Resources

The Basarwa still need to collect some veld products for consumption and to use as building materials, but they are no longer free to do so as Government through the Department of Forestry and Range Resources requires them to apply for permits for collection of such. The permits are applied for at Letlhakane and are paid for. And they must pay for transport to Letlhakane and back. If they go into the bush and collect veld products without permits, they may be arrested by officers who are on patrols. They also do not have clear information on which veld resources they are required permits for. The veld products that they still want to harvest and at times are poles from trees and thatch grass for building huts and Mopani worms, wild vegetables (*Rothwe and Thepe*) and wild fruits like berries for consumption.

#### Present

#### Enviro Solve Consultancy

- |    |                         |
|----|-------------------------|
| 1. | Desmond Mosweu          |
| 2. | Rosinah Masilo-Rakgoasi |

#### Kedia Settlement

- |     |                        |
|-----|------------------------|
| 1.  | Kgosi. Simane Akanyang |
| 2.  | Mrs. Hilda Molefe      |
| 3.  | Mr. Taolo              |
| 4.  | Maikutlo Kenosi        |
| 5.  | Judge Kgokong          |
| 6.  | Monyadi Baobame        |
| 7.  | Lesego Toteng          |
| 8.  | Lerothodi Kgoletso     |
| 9.  | Moithoi Bothata        |
| 10. | Gogannemang Gabohithwe |

#### Xere Settlement

- |     |                          |
|-----|--------------------------|
| 1.  | Kgosi Molaodi Moipolai   |
| 2.  | Gaolefufa Ntwaetsile     |
| 3.  | Moitshepi Amos Sekausu   |
| 4.  | Kabo Gabasekiswe         |
| 5.  | Tshomarelo Thokomologang |
| 6.  | Basotegile Gabi          |
| 7.  | Bampiditse Legwagwa      |
| 8.  | Motshidiemang Teha       |
| 9.  | Kaoeleka Goratwamang     |
| 10. | Gosenkwamang Gabi        |
| 11. | Onyaditswe Gaathape      |
| 12. | Gobonwamang Pono         |
| 13. | Leikantsemang Gabi       |

## **Xere Focus Group Meeting**

**Date: 23 October 2017**

**Time: 0800hrs Venue: Xere Kgotla**

### **INTRODUCTIONS**

Ms. Odiiletswe Lefeletse; Kgosana  
Ms Gaaitsewe Phirinyane; Court Clerk  
Ms. Shiffer Supang; Court Clerk  
Mr. Gadiramang Dipalane; Police Officer  
Mr Oteng Mahlala; Enviro Solve Consultancy  
Mr. Desmond Mosweu; Enviro Solve Consultancy  
Ms. Onkarabile Gosupamang; Enviro Solve Consultancy

### **WELCOME REMARKS**

On behalf of Kgosi Mohudi Sesana, Odiiletswe Lefeletse welcomed the consultants to the Kgotla and gave them the floor to tell the purpose of their visit.

### **PROJECT OVERVIEW AND DESCRIPTION BY ENVIRO SOLVE CONSULTANCY (Mr. Oteng Mahlala)**

#### **Introduction**

Envirosolve Consultancy (Pty) Ltd has been commissioned by Water Utilities Corporation to update the Environmental Impact Statement for the proposed Boteti Southern and Central Cluster Villages Integrated Water Supply. The proposed project will cover 8 villages; Rakops, Mopipi, Xhumo, Mokoboxane, Mmadikola, Kedia, Toromoja and Xere, all located in Boteti Sub-District. The project has been funded by the World Bank.

#### **Description of the project**

The proposed integrated water supply system would replace the existing water supply system where each village would have its own independent water source and water supply system. Water will be collected from the wellfield via a network of uPVC pipes and then pumped to a collector reservoir located at the wellfield. From the collector reservoir water will be gravitated to the feed water tank at the treatment plant. The water from the treatment plant will be constructed near Mokoboxane village. From the treatment plant water will be transferred through a system of gravity fed mains (uPVC) to a storage reservoir located at project area villages. A booster pump station and a sump will be provided at Rakops to pump treated water to Xere village. Storage facilities (elevated pressed steel panel tanks) will be upgraded at Rakops, Mopipi, Toromoja, Xhumo and Mokoboxane.

#### **Location**

The project area covers 8 villages; Rakops, Mopipi, Xhumo, Mokoboxane, Mmadikola, Kedia, Toromoja and Xere, all located in Boteti Sub-District. The water source (wellfield) is located between Orapa and Mokoboxane on the north-eastern corner of the Boteti Sub- District 4B Leasehold ranches and near Setata Quarantine Camp.

#### **Purpose**

The proposed development is required to address the issues of water shortage especially portable water in Boteti. The purpose of the project is also to.

- Provide the affected villages with treated water
- Provide water that will meet future water demands. Major water shortfall is currently experienced within the Mopipi/Kedia and Rakops/Toromoja water supply systems.

## **PRESENTATION ON EIA IMPACTS BY ENVIRO SOLVE CONSULTANCY (Mr. Desmond Mosweu)**

Mr Mosweu informed the attendants that consultations are done in fulfillment of the Environmental Assessment Act No. 10 of 2011. The Act states that Interested and Affected Parties should be consulted prior to any development in the country. The purpose of the consultation meeting is to solicit the Interested and Affected Parties (I & Aps) views on the proposed project. He added that the residents who stay near the tanks will also be interviewed one on one.

He highlighted on the negative and positive impacts of the project. Noise pollution, excavation, air pollution, water supply disruption, and damage to property if blasting is to be done are some of the negative impacts that will arise during the construction stage. Waste such as soil, rocks, and general waste and should be disposed of at the designated areas.

Some residents will have the chance of being employed by the contractor once the project starts. He stated that they will advise the contractor to employ residents rather than bring people from outside who could do the same job as local people. He continued to say that interactions whether cordial or work related can yield negative or positive results. Negative impacts include the transmission of HIV/AIDS and other sexually transmitted diseases whereas positive impacts include long term partnerships and friendships.

### **QUESTIONS AND COMMENTS**

<b>NAME</b>	<b>COMMENTS/ QUESTIONS</b>	<b>RESPONSE</b>
Ms Galefele Kgabowe	When is the project starting?	Approximately next year: from January to April when the EIA report has been approved by WUC and the World Bank
Ms Odiiletswe Lefeletse	She welcomed the development because there is no water in the village.	Comment appreciated

### **CLOSING REMARKS**

Ms Odiiletswe Lefeletse thanked the consultants for the information they brought and assigned a village elder to go and show the consultants the water tanks.

### **Focus Group Meeting**

**Date: 25 October 2017**

**Time: 0800hrs**

**Venue: Kedia Kgotla**

### **INTRODUCTION**

Kgosi Akanyang

Mr. Obone Lerako; VDC Chair

Mr. Bogasitswe; VDC member

Mr. Molathiwa; Trust member

Mr Oteng Mahlala; Enviro Solve Consultancy

Mr. Desmond Mosweu; Enviro Solve Consultancy

Ms. Onkarabile Gosupamang; Enviro Solve Consultancy



## **WELCOME REMARKS**

Kgosi Akanyang welcomed the community and thanked them for coming to the meeting. He urged the community to listen attentively so that they ask questions where they do not understand.

## **PROJECT OVERVIEW AND DESCRIPTION BY ENVIRO SOLVE CONSULTANCY (Mr. Oteng Mahlala)**

### **Introduction**

Envirosolve Consultancy (Pty) Ltd has been commissioned by Water Utilities Corporation to update the Environmental Impact Statement for the proposed Boteti Southern and Central Cluster Villages Integrated Water Supply. The proposed project will cover 8 villages; Rakops, Mopipi, Xhumo, Mokoboxane, Mmadikola, Kedia, Toromoja and Xere, all located in Boteti Sub-District. The project has been funded by the World Bank.

### **Description of the project**

The proposed integrated water supply system would replace the existing water supply system where each village would have its own independent water source and water supply system. Water will be collected from the wellfield via a network of uPVC pipes and then pumped to a collector reservoir located at the wellfield. From the collector reservoir water will be gravitated to the feed water tank at the treatment plant. The water from the treatment plant will be constructed near Mokoboxane village. From the treatment plant water will be transferred through a system of gravity fed mains (uPVC) to a storage reservoir located at project area villages. A booster pump station and a sump will be provided at Rakops to pump treated water to Xere village. Storage facilities (elevated pressed steel panel tanks) will be upgraded at Rakops, Mopipi, Toromoja, Xhumo and Mokoboxane.

### **Location**

The project area covers 8 villages; Rakops, Mopipi, Xhumo, Mokoboxane, Mmadikola, Kedia, Toromoja and Xere, all located in Boteti Sub-District. The water source (wellfield) is located between Orapa and Mokoboxane on the north-eastern corner of the Boteti Sub-District 4B Leasehold areas and near Setata Quarantine Camp.

### **Purpose**

The proposed development is required to address the issues of water shortage especially portable water in Boteti. The purpose of the project is also to.

- Provide the affected villages with treated water
- Provide water that will meet future water demands. Major water shortfall is currently experienced within the Mopipi/Kedia and Rakops/Toromoja water supply systems

## **PRESENTATION ON EIA IMPACTS BY ENVIRO SOLVE CONSULTANCY (Mr. Desmond Mosweu)**

Mr. Mosweu informed the attendants that consultations are done in fulfillment of the Environmental Assessment Act No. 10 of 2011. The Act states that Interested and Affected Parties should be consulted prior to any development in the country. The purpose of the consultation meeting is to solicit the Interested and Affected Parties (I & Aps) views on the proposed project. He added that the residents who stay near the tanks will also be interviewed one on one.

He highlighted on the negative and positive impacts of the project. Noise pollution, excavation, air pollution, water supply disruption, and damage to property if blasting is to be done are some of the negative impacts that will arise during the construction stage. Waste such as soil, rocks, and general waste and should be disposed of at the designated areas.

Some residents will have the chance of being employed by the contractor once the project starts. He stated that they will advise the contractor to employ residents rather than bring people from outside who could do the same job as local people. He continued to say that interactions whether cordial or work related can yield

negative or positive results. Negative impacts include the transmission of HIV/AIDS and other sexually transmitted diseases whereas positive impacts include long term partnerships and friendships.

#### QUESTIONS AND COMMENTS

NAME	COMMENTS/ QUESTIONS	RESPONSE
Ms. Morwadi Gaolebiwe	We appreciate the proposed development.	Comment appreciated
Ms. Nkhabe Nyanyakha	Appreciated the project.	Comment appreciated
Ms. Ketlhaetse Dijesiwa	We appreciate the project. We shall finally have treated clean water. He emphasised on the issues of self-control and urged the community to take responsibility of their lives	
Mr. Obonye Lobang	He appreciated the project and stated that they are not able to do anything because there is no water but now that the project of water supply is coming, he is thankful.	
Kgosi Akanyang	Said that he is thankful for the proposed project and that they have been waiting for the project to start since it's been long overdue. He stated that the water is very salty, and that they don't have their own independent water supply. He continued to encourage the community to take care once the contractor gets on site.	The aim of the project is to make sure that each village should have its own water supply

#### CLOSING REMARKS

Mr. Bogasitwe encouraged the community to work hard if given a chance to work in the proposed works even though it will be for a short period of time.

## **ANNEX 2 : CONTRACT CLAUSES TO BE INCLUDED IN CONTRACTOR'S AGREEMENT AND CODE OF CONDUCT**

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, SEA, SH AND 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 GM.
- 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 GM 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**

**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) regarding 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.

### **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."<sup>8</sup> The six core types of GBV are:

- **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.

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<sup>8</sup> 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.

- **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,<sup>9</sup> 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, labour<sup>10</sup>, 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.

**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.

**Contractors Environmental and Social Management Plan (CESMP):** 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. 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.

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<sup>9</sup> Exposure to GBV is also considered VAC.

<sup>10</sup> 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.

**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 GBV, SEA, SH, and 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 (GBV SSVCT):** a team established by the project to address GBV, SEA, SH, and VAC issues.

**Grievance Mechanism (GM):** 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.

**Survivor/Survivors:** the person(s) adversely affected by GBV, SEA, SH and 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.

### **Codes of Conduct**

This chapter presents three Codes of Conduct for use:

- iv. **Company Code of Conduct:** Commits the company to addressing GBV, SEA, SH, and VAC issues.
- v. **Manager's Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- vi. **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' (CESMP).
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 persons 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 always impair faculties.
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 consent<sup>11</sup> 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, SEA, SH and 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 and/or 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 (GBV SSVCT) 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 GBV SSVCT which includes as a minimum:
  - i. GBV, SEA, SH, and VAC Allegation Procedure to report GBV, SEA, SH, and VAC issues through the project Grievance Mechanism
  - ii. Accountability Measures to protect confidentiality of all involved; and,
  - iii. Response Protocol applicable to GBV, SEA, SH, and VAC survivors and perpetrators.
- 25. That the company effectively implements the agreed final GBV, SEA, SH, and VAC Action Plan, providing feedback to the GBV SSVCT 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.

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<sup>11</sup> **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 ESHS 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 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, SEA, SH 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 CESMP 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 GBV SSVCT, 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 Mechanism (GM)
  - 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 GBV SSVCT 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, any suspected or actual acts of GBV and/or 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 CESMP and are trained as appropriate to implement the CESMP 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. About GBV, SEA, SH, and VAC:
  - i. Provide input to the GBV, SEA, SH and VAC Allegation Procedures and Response Protocol developed by the GBV SSVCT 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 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 GM.
  - 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 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 GBV SSVCT. 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, SEA, SH, and 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 always wear my personal protective equipment (PPE) 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 (CESMP).
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 always impair faculties.
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 consent<sup>12</sup> 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 GM 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.

Regarding children under the age of 18:

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

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<sup>12</sup> **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.

**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: \_\_\_\_\_

### **ANNEX 3: GBV, SEA, SH, AND VAC ACTION PLAN**

#### **1. The GBV, SEA, SH, and VAC Compliance Team**

The project shall establish a 'GBV, SEA, SH and VAC Compliance Team' (GBV SSVCT). The GBV SSVCT 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 contractor<sup>13</sup>, 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 GBV SSVCT with support from the management of the contractor to inform workers about the activities and responsibilities of the GBV SSVCT. To effectively serve on the GBV SSVCT, members must undergo training by the local service provider prior to the commencement of their assignment to ensure that they are sensitized on GBV and Child Protection.

The GBV SSVCT 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 GM are up to date and included in the regular project reports.

The GBV SSVCT 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 and/or 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 Mechanism (GM). The GBV SSVCT will follow up on cases of GBV, VAC and Code of Conduct breaches reported through the GM.

#### **3. Addressing Complaints about GBV, SEA, SH, and VAC GM**

The project operates a Grievance Mechanism (GM) which is managed by a designated GM 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, SEA, SH and VAC must immediately be reported to the World Bank task team by the GM operator.

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<sup>13</sup> Where there are multiple contractors working on the project, each shall nominate a representative as appropriate.



The GM operator will refer complaints related to GBV, SEA, SH, and VAC to the GBV SSVCT to resolve them. In accordance with the GBV, SEA, SH, and VAC Action Plan, the GBV SSVCT through the Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GM 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 GM 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 GM for processing.

If the complaint to the GM 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 GBV SSVCT 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 GBV SSVCT and be involved in resolving complaints related to GBV, SEA, SH, and VAC.

#### **GBV SSVCT Focal Points**

The GBV SSVCT shall confirm that all complaints related to GBV, SEA, SH and VAC have been referred to the World Bank by the GM operator.

The GBV SSVCT 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 GBV SSVCT 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 GBV SSVCT must be trained and empowered to resolve GBV, SEA, SH, and VAC issues. It is essential that all staff of the GM and GBV SSVCT 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 GBV SSVCT<sup>14</sup>. 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.

#### **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 GBV SSVCT will be the primary point of contact for information and follow up regarding the perpetrator.

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<sup>14</sup> 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.

## **5. Monitoring and Evaluation**

The GBV SSVCT 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 GM 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 GBV SSVCT will be responsible for developing a written response<sup>15</sup> 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. The response protocol will include the GM 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 GM 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 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 GM from employees and community members about perpetrators in the workplace. Through the GBV SSVCT 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, SEA, SH, and 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

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<sup>15</sup> 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 GBV SSVCT.

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, SEA, SH, AND VAC survivors' personal information is of utmost importance.
2. Provide the GBV SSVCT 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 GM 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 include<sup>16</sup>:**

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.

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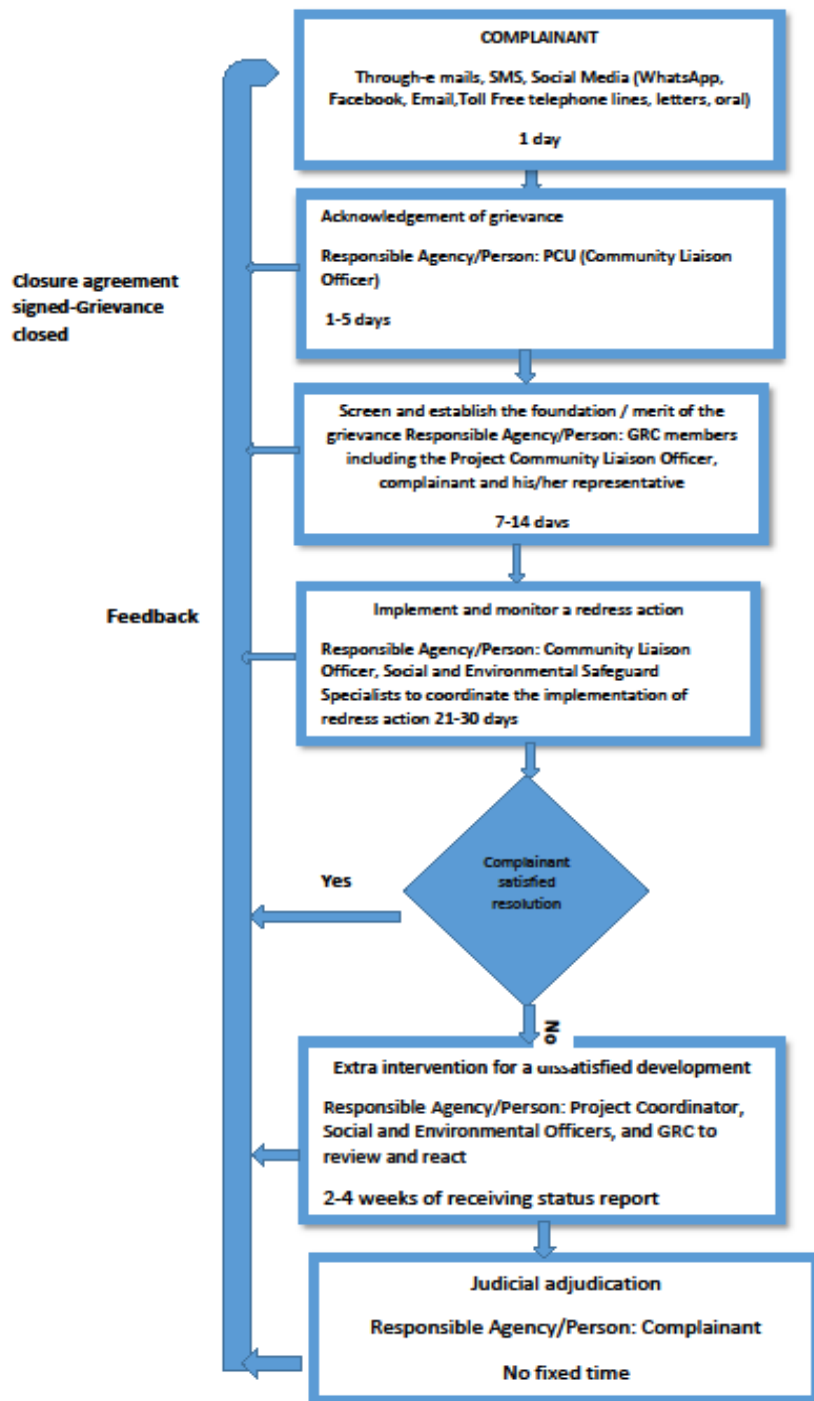
<sup>16</sup> It is critical that a survivor centered approach be adopted. The survivor should be fully involved in the decision making. Except for exceptional circumstances the perpetrator should be required to take appropriate actions to accommodate the survivor (e.g., move, change hours, etc.), rather than the survivor changing.

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 GBV SSVCT where appropriate.

**Potential Sanctions to Employees who are Perpetrators of GBV, SEA, SH, 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.

**ANNEX 4: GM FLOW CHART**



**ANNEX 5 : 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		
									<input type="checkbox"/> Yes When _____ _____  Method: _____ Email _____ _____ <input type="checkbox"/> No		

## **ANNEX 6: CHANCE FINDS PROCEDURES**

Chance find procedures are an integral part of the project ESMP and civil works contracts.

The project will include a Chance Finds procedure.

If the Contractor discovers archaeological sites, historical sites, remains and objects, including graveyards and/or individual graves during excavation or construction, the steps to be followed are the Contractor shall:

1. Stop the construction activities in the area of the Chance find;
2. Delineate the discovered site or area;
3. Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local authorities - Department of National Museum and Monuments take over;
4. Notify the supervisor, Project Environmental Officer, and Archeological Officer and Project Engineer who in turn will notify the responsible local authorities (Kgosi), the Botswana Police and the Department of National Museum and Monuments immediately (within 24 hours or less);
5. Responsible local authorities, the Botswana Police and the Department of National Museum and Monuments would then be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the archaeologist of the project. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, namely the aesthetic, historic, scientific or research, social and economic values.
6. Decision on how to handle the find shall be taken by the responsible authorities - the Department of National Museum and Monuments. This could include conservation, preservation, restoration and salvage.
7. Implementation for the authority decision concerning the management of the finding shall be communicated in writing by relevant local authorities.
8. Construction work may resume only after permission is given from the Department of National Museum and Monuments or delegated authority concerning safeguard of the heritage.