

THE LOWER MAGUDUZA HYDROPOWER SCHEME



HUMAN RIGHTS IMPACT ASSESSMENT

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Certificate of Incorporation No. 2166 of 2015

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GLOSSARY

Adverse human rights impact: when an action or omission removes or reduces the ability of an individual to enjoy her or his human rights.

Area of impact: refers to the geographic and other scope of the actual and potential human rights impacts of the business project or activities that are to be considered in the human rights impact assessment; it includes impacts that are caused by the business, that the business contributes to, and that the business is directly linked to through its operations, products or services through contractual and non-contractual business relationships. For example, it would include impacts in the immediate geographic vicinity, in the supply chain, related to ancillary infrastructure, and on downstream communities.

Baseline: An evidence-based description of human rights enjoyment in practice, as compared with rights in international human rights instruments and domestic law, at a specific point in time. It consists of information about environmental, socio-economic, political and other data, based on which actual and potential human rights impacts of the business project or activities can be assessed.

Business project or activities: Business operations, for example, the mine site, oil & gas plant, factory, hydropower dam, hotel and so forth, but also business activities such as a company sourcing raw materials for use in products, or the activities of service industries; operated and/or conducted by a publicly owned or privately owned business.

Business relationships: Contractual and non-contractual relationships that a business has with business partners, entities in its value chain and any other nonState or State entity directly linked to its business operations, products or services.

Complicity: The fact or condition of being involved with others in an activity that is unlawful or morally wrong. Complicity in criminal law refers to being legally accountable, or liable for a criminal offense, based upon the behaviour of another. In a non-legal context, human rights organisations and activists, international policy makers, government experts and businesses might use the term to describe what they view as business involvement in human rights abuses committed by a third party, or benefiting from the actions of a third party.

Corporate responsibility to respect: A business's responsibility to avoid infringing on the human rights of others and to address adverse human rights impacts with which it is involved, including through exercising human rights due diligence; an international norm of expected conduct.

Corporate social responsibility: Corporate social responsibility (CSR) refers to companies taking responsibility for their effects on society and the environment. The term is often applied to efforts taken on a voluntary basis, rather than legislation or regulation.

Duty-bearers: Actors who have human rights duties or responsibilities towards rights-holders. States are the primary human rights duty bearers—they have a legal obligation to *respect*, *protect* and *fulfil* human rights.

Businesses have a *responsibility to respect* human rights. Examples of duty-bearers in a business context can include: a company operating a project or conducting business activities; business suppliers and contractors; joint-venture or other business partners; and government actors such as local or national government authorities.

Gender analysis: A process to understand the relationships between women and, their access to and use of resources, their activities, and the constraints they face relative to each other. A gender analysis is important to understand the different patterns of involvement, decision-making, behaviour and activities that women and men have in community, economic, social and legal structures. **Human rights-based approach:** a conceptual framework that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. The approach rests on three core components outlined in the United Nations Stamford Common Understanding: (i) international human rights standards; (2) the application of human rightsbased principles, including in processes; and (3) accountability through the rights-holder and duty-bearer framework.

Human rights due diligence: A process by which a business can identify, prevent, mitigate and account for how it addresses the adverse human rights impacts with which it is involved.

Human rights impact assessment: A process for identifying, understanding, assessing and addressing the adverse effects of a business project or activities on the human rights enjoyment of impacted rights-holders such as workers and community members.

Impact mitigation and management: The design and implementation of measures to address impacts (through prevention, mitigation and remediation); including resourcing for the implementation of impact mitigation measures and monitoring of their effectiveness.

Indicators: In the human rights context, are specific information (quantitative and/or qualitative) on the state or condition of an object, event, activity or outcome that can be related to internationally recognised human rights norms and standards. They can be used to measure human rights impacts in that they describe and compare situations, which can help with early impact identification as well as with measuring change over time.

Leverage: Where a business has the ability to effect change in the practices of another entity that causes harm; a business's ability to influence the behaviour of others. For example, through contractual requirements, dialogue, and/or multi-stakeholder initiatives and approaches.

Other relevant parties: Individuals or organisations (at local, regional and international levels) whose knowledge or views could assist in the assessment of the human rights impacts. For example: human rights mechanisms; subject matter experts; intergovernmental organisations; academia; national human rights institutions; non-government and civil society organisations; and rightsholder representatives or representative organisations.

Rights-holders: All human beings are human rights-holders. In the context of human rights impact assessment the focus is on those rights-holders who are actually or potentially adversely affected by the business project or activities. Organisations or entities, such as trade unions or religious institutions, are not human rights-holders, but may act in a representative capacity. Examples of rights-holders whose human rights can be impacted by business projects or activities include: local community members (including women and men, vulnerable individuals and groups, downstream, trans-boundary or neighbouring communities); employees; contractor and supply chain workers; and consumers.

Risk: The probability of an event occurring; non-technical risks relate to the managerial, legal, social and political issues of a business project or activity, whereas the technical risks are the physical, structural, engineering and environmental aspects.

Remediation/remedy: Refer to both the process of providing access to remedy for an adverse human rights impact and the substantive outcomes that can counteract the adverse impact; these may take a range of forms, such as apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions, as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.

Scoping: An initial consideration of the business project or activities, the human rights context and the identification of relevant stakeholders and identification of human rights potentially affected, to set the parameters for the impact assessment.

Stakeholder: A person, group or organisation with an interest in, or influence on, a business project or activity, as well as those potentially affected by it. Relevant stakeholders for the assessment of human rights impacts include affected rightsholders, duty-bearers and other relevant parties.

1 INTRODUCTION

This Human Rights Impact Assessment (HRIA) has been prepared to assess the potential human rights risks, impacts, and mitigations associated with the proposed Lower Maguduza Hydropower Scheme (LMHPS) in the Kingdom of Eswatini. The purpose of the HRIA is to ensure that the project is planned and implemented in a manner that respects, protects, and promotes human rights in line with national legislation and international best practice.

The assessment provides an overview of the project context, outlines the applicable human rights and stakeholder engagement requirements, and identifies affected stakeholders and vulnerable groups. It further aims to guide meaningful stakeholder engagement, establish appropriate grievance mechanisms, and support effective monitoring and reporting throughout the project lifecycle. The HRIA has been undertaken with reference to relevant Eswatini laws, international conventions, and standards, and has been informed by consultations with key stakeholders and affected communities.

1.1 HRAI Pillars

The HRIA reflects the three pillars under which the UN Guiding principles sit.

- I. Pillar 1 – Protection which outlines state obligations to upholding Human rights which are set out in the legislative framework
- II. Pillar 2 – Respect which outlines corporate responsibility with regards Human Rights holders, and ‘does no harm’.
- III. Pillar 3 – Remedy which gives access to effective (Non-judicial and Judicial) remedies as outlined in the project Grievance Redress Mechanisms.

Rights-holders whose human rights can be impacted by business projects or activities include: workers; supply chain workers; local community members including women, children, indigenous peoples, migrants, persons with disabilities; human rights defenders; customers; and end-users. Duty-bearers are actors who have human rights duties or responsibilities towards rights-holders including Government (MNRE); EEC and contractors.

1.2 HRIA Objectives

The Key Objectives of the HRIA are as follows:

- Understand the human rights protection requirements of the Kingdom of Eswatini legislation;
- Provide guidance for stakeholder engagement such that it meets the standards of International Best Practice;
- Identify key stakeholders that are affected, and/or able to influence the Project and its activities;
- Identify the most effective methods, timing and structures through which to share project information, and to ensure regular, accessible, transparent and appropriate consultation;

- Develop a stakeholders' engagement process that provides stakeholders with an opportunity to engage in project planning and design and its implementation;
- Develop stakeholders' program to guide the stakeholders' engagement plan;
- Establish formal grievance/resolution mechanisms;
- Define roles and responsibilities for the implementation of the HRIA;
- Define reporting and monitoring measures to ensure the effectiveness of the and periodical reviews of the SEP based on findings.

2 PROJECT OUTLINE

2.1 Location of the Project Area

Eswatini is situated in the easterly part of the Southern African subcontinent about 3 degrees south of the Tropic of Capricorn. The country is landlocked, bordered by South Africa almost wholly with a small portion bordered by Mozambique in the easterly direction (Refer to Figure 4). From the grassland of the Highveld in the west, the land fall down through the Middleveld to the bushveld plains of the Lowveld and rises again to the plateau of the Lubombo Mountains. Eswatini has four administration regions namely Hhohho, Manzini, Shiselweni and Lubombo (refer to figure 5). The regions are administered by Regional Administrators; the Capital city of the country is Mbabane while the largest city of the country is Manzini. The proposed project is located in the Middleveld of Eswatini within the jurisdiction of Manzini City Council in the Manzini Region. The proposed project is located approximately 20 km south from the main centre of Manzini and about 5 km west of the small town of Sidvokodvo, predominately on the property of the Eswatini Dairy farm and with a small impacted area on Crown Land on the western flank of the weir and on Crown land and Swazi Nation Land (SNL) due to backwater effects. The proposed project will be developed in an area which is approximately 9 hectares in size, although the area secured under lease will be larger than this so as to cater to access routes, working space, maintenance etc. (total land requirement estimated at circa 45 Ha).

2.2 Description of the Project Area

The proposed project is located on the western side and across the middle of the Eswatini Dairy Farm (R/8 Peebles South) which is currently undergoing re-development from what was primarily a sugar cane and baby vegetable farm, to a dairy operation that will support circa 3000 head of cattle.

The southern half of the site is in the process of being re-developed into irrigated cattle pastures, and a milking parlour is under construction. Associated roads, pumps, pipelines and a small dam are also under construction. The northern half of the site is mostly uncultivated, however this too will change into irrigated pastures for the grazing of cattle. The majority of the proposed LMHPS development falls between that which has already mostly been re-developed and that which must still be re-developed. Discussions between the EEC and the Land-owner are advanced and a lease agreement and servitudes will soon be effected, thereby securing the land to be occupied by the LMHPS.

Eswatini Dairy farm makes use of a number of pump stations to ump water at several locations from Lusuthu (Usuthu) River, and the operators of the new dairy (Eswatini Dairy) advise that they will utilise their full allocation of water. A dam currently under construction on the Eswatini Dairy farm property will assist water provision through the dry (winter) months. Neighbouring landowners who pump water from the Usuthu River include a chicken/vegetable farm, and the Marula Farm (also operated by Eswatini Dairy). The nearby Nkonyeni Golf Estate pumps water from the Ngwempisi River, a tributary of Usuthu River, from close to its confluence with the Usuthu. Figure 4 indicates the location of the project.



Figure 1: Location of the Study Area within the Southern Africa (Source: <http://www.humantruth.info/Eswatini.html>)

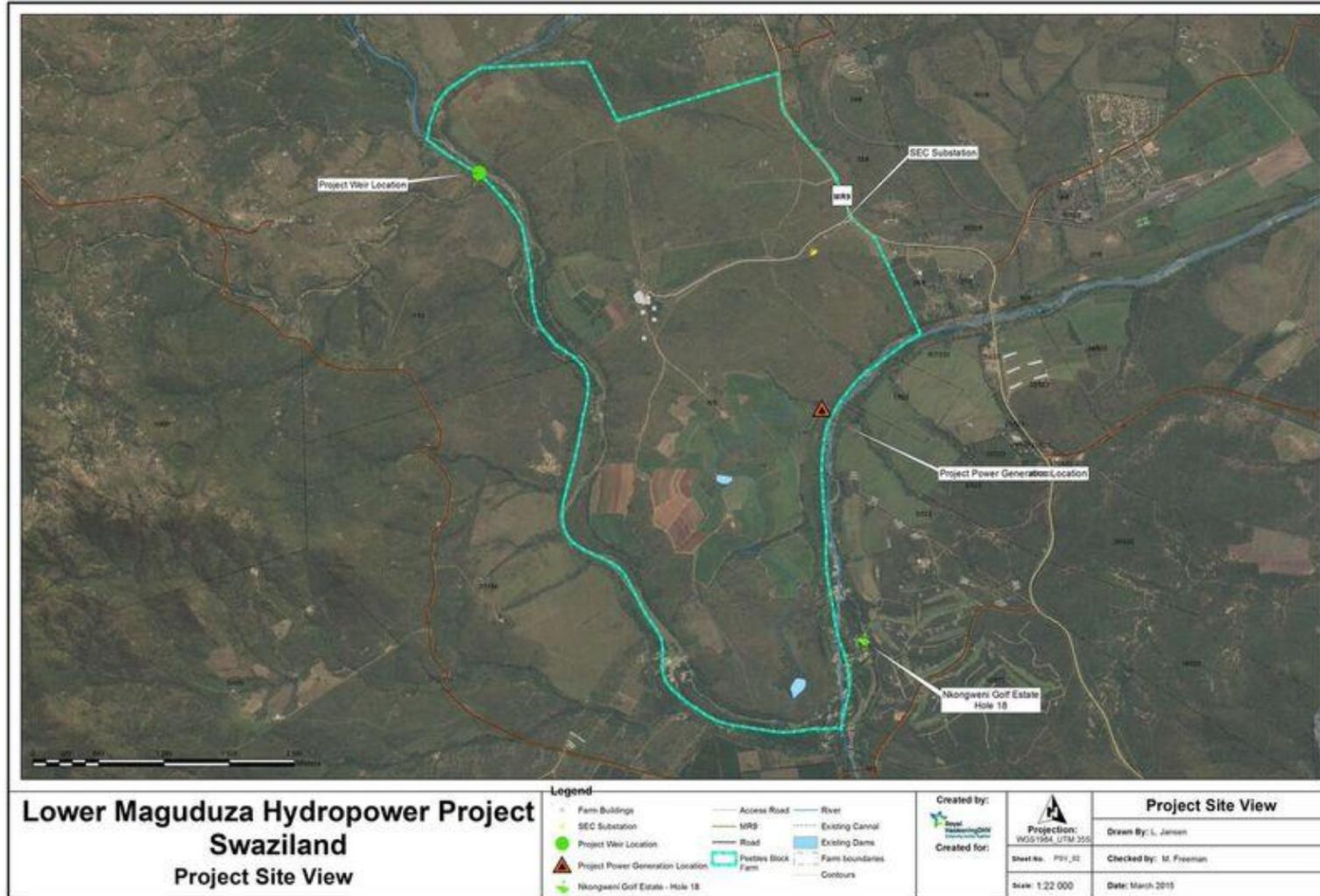


Figure 2: Google Image of the Study Area

The figures below shows Eswatini Dairy Farm



Figure 3: Shepherded Cattle within Eswatini Dairy farm



Figure 4: Power Sub Station Located within the Eswatini Dairy farm

The following figure shows the site to be affected by the transmission line



Figure 5: A view of area to be affected by transmission line

The following figure shows the proposed footbridge site



Figure 6: Proposed community footbridge site

2.3 Scheme Infrastructure and Technical Information

Middle Lusutfu Hydrpower MLH) has proposed an installed capacity (net of losses) of 13.5 MW with a maximum flow capacity of circa 26 m³/s. Surface infrastructure is generally proposed for the project, as it was found to have fewer risks, whilst being more cost effective than deploying underground infrastructure. The proposed hydropower scheme comprises of the following components as outlined in Table 3.

Table 1: Hydropower Scheme Components

ITEM	DESCRIPTION
Weir	<ul style="list-style-type: none"> ▪ Circa 350m long RMC gravity weir with an earth embankment on the western flank, and a 200m uncontrolled Ogee crest; ▪ Concrete intake on the left (eastern) bank; ▪ Pressure conduit to canal; and ▪ Associate infrastructure.
Canal	<ul style="list-style-type: none"> ▪ Circa 2.8 km long canal furnished with over chutes and culverts;

ITEM	DESCRIPTION
	<ul style="list-style-type: none"> Bridge overpasses; and Access roads alongside the canal for maintenance purposes.
Open Cut / Cut and Cover Box Culvert	<ul style="list-style-type: none"> Circa 395 m open cut canal or cut and cover concrete box culvert.
Penstock Intake	<ul style="list-style-type: none"> Reinforced concrete structure comprising of walled fore bay with emergency overflow and concrete penstock intake.
Penstock (Surface or Buried)	<ul style="list-style-type: none"> Circa 735 m long steel penstock pipe, No (1) 3.6 m DIA bifurcating into No (2) 2.5m DIA down to 1.8m DIA at powerhouse.
Powerhouse	<ul style="list-style-type: none"> Circa 25m long and 10 wide turbine chamber 14m deep with a superstructure that is 40m long and 12m wide; and Associate infrastructure.
Turbines/Generators	<ul style="list-style-type: none"> No (2) 6.32 MW horizontal axis twin Francis turbine and generator sets.
Substation	<ul style="list-style-type: none"> A step up sub-station to enable the power generated to be transformed to 66kV.
Power line	<ul style="list-style-type: none"> A 66 kV power line connecting to the existing SEC system (grid) located on the adjacent property to the eastern side of Eswatini Dairy farm

Note: The above components and their dimensions may change slightly in the final design.

Subsequent to consultations with the Gebeni and Nhlambeni communities, two footbridges will be constructed as part of the project. The footbridges will be developed at or near existing informal footpaths, to ensure that communities will continue to be able to cross the Great Usuthu river and Badzinile stream for access to facilities including clinics, schools, shopping centres and other facilities in Gebeni, Manzini and surrounds. The bridge over Usuthu River will be approximately 162m long, while the smaller bridge over Badzinile stream will be approximately 21m long. The bridge over the Usuthu River will necessitate seven piers in addition to the abutments whereas the bridge over the Badzinile stream will span from abutment to abutment. The bridges will be placed at a level such that the design flood can pass underneath, with the result that under usual conditions, the impounded water resulting from the LMHPS weir will be about 6.5m below the bridge deck. At the abutments the bridges will be about 1m above existing ground level with an earth embankment providing access and egress for pedestrian traffic. The footbridges are proposed to be installed at the following co-ordinates:

Table 2: Proposed coordinated for footbridges

Point	Easting	Northing
SOP-01	35560.67	2946285.28
SOP-02	35566.42	2946265.22
SOP-03	35710.28	2946072.36
SOP-04	35863.95	2946021.07

2.4 Final Layout

Whereas Figure 1 shows the originally proposed layout of the LMHPS, the negotiations by EEC with the Landowner have required certain adjustments. These adjustments principally relate to the routing of the LMHPS access roads and the penstock to suit the farming operations, and the adjustments to existing farm access roads so as to accommodate the LMHPS canal.

The LMHPS layout as agreed by EEC with the Land-owner, with the LMHPS infrastructure super-imposed onto the dairy farm infrastructure, is presented in Figure 7 below. It is this final layout that is applicable to this environmental and social impact assessment.

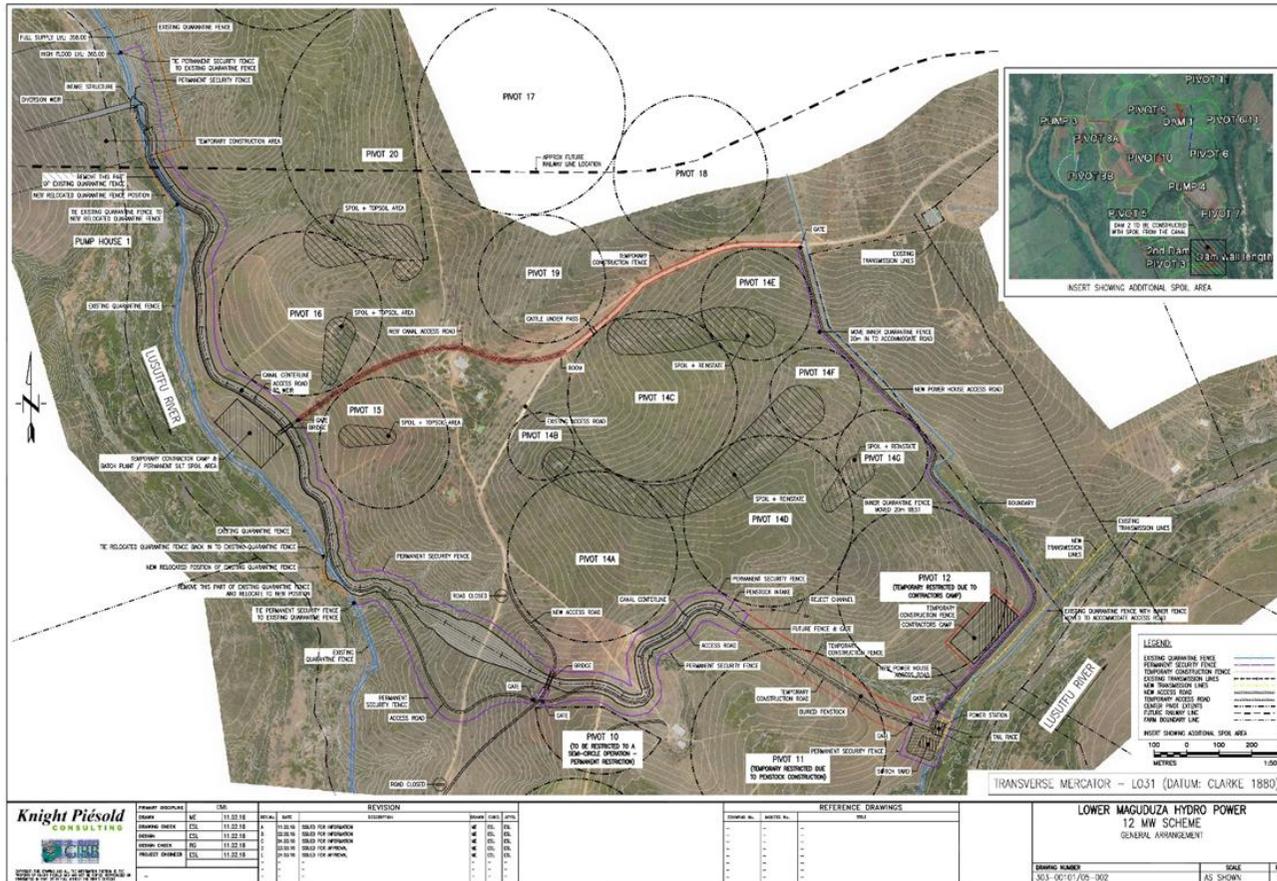


Figure 7: Final Layout

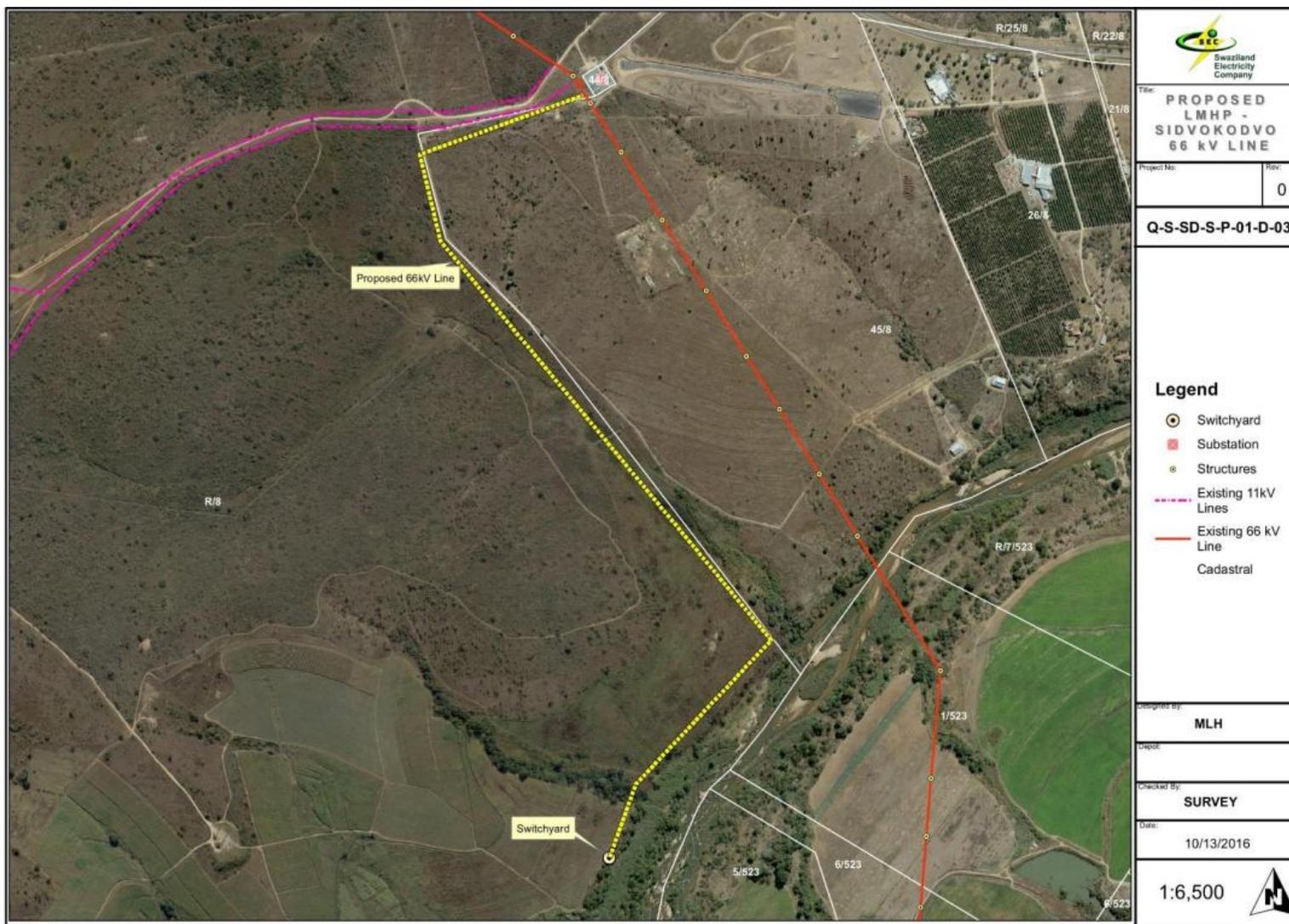


Figure 8: Updated routing for the 66kV Transmission Line from the LMHPS Switchyard on Farm R/8 to the EEC Substation on Farm 45/8

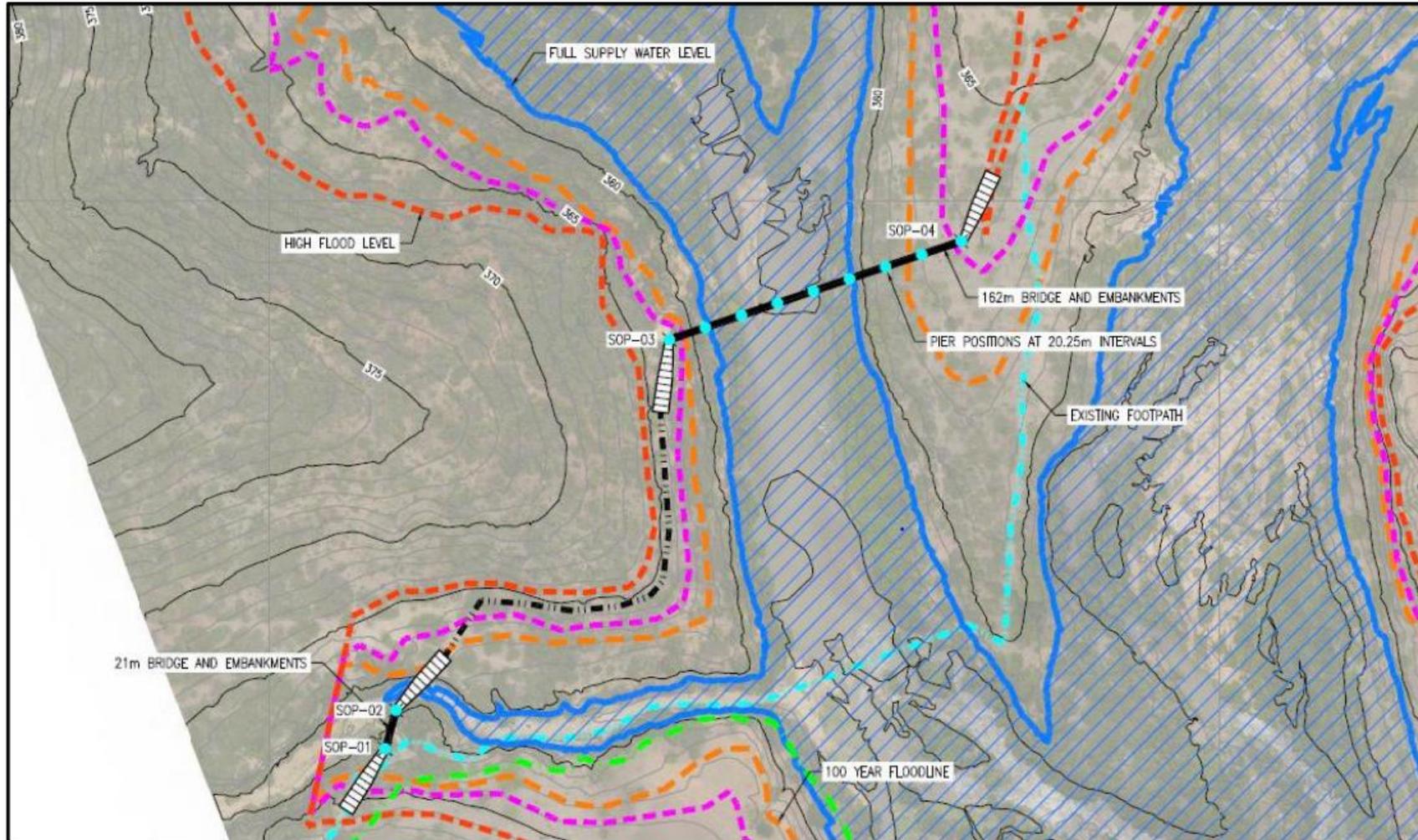


Figure 9: Proposed community footpaths

2.5 Land Take and Land Acquisition

The project will require approximately 45 Ha of land, most of which is within the Eswatini Dairy farm (Remainder of Farm 8, Peebles South, Sidvokodvo, Manzini Region). Consultations have been initiated by EEC with the Landowner to acquire this land.

Part of the required 66 kV transmission line to connect the LMHPS to the EEC grid will cross the farm immediately to the east of the Peebles Block farm, namely 45/8 Peebles South, Sidvokodvo, Manzini Region. The routing of the 66kV transmission line has been determined after extensive engagements with the owner of Farm R/8 and Farm 45/8. Most of the transmission line will be constructed within Farm R/8 (Peebles Block) adjacent to the boundary with Farm 45/8 (i.e. along the power house access road). The power house access road falls in the 20m wide zone between the inner quarantine fence and the existing boundary fence. The transmission line will therefore mostly be constructed in the area that is periodically cleared as a firebreak for the Farm R/8. The balance of the transmission line route will follow the northern boundary of Farm 45/8 (just inside 45/8) all the way to the existing EEC Sidvokodvo Substation

The balance of the route will follow the northern boundary of Farm 45/8 (just inside 45/8) all the way to the existing EEC Sidvokodvo Substation.

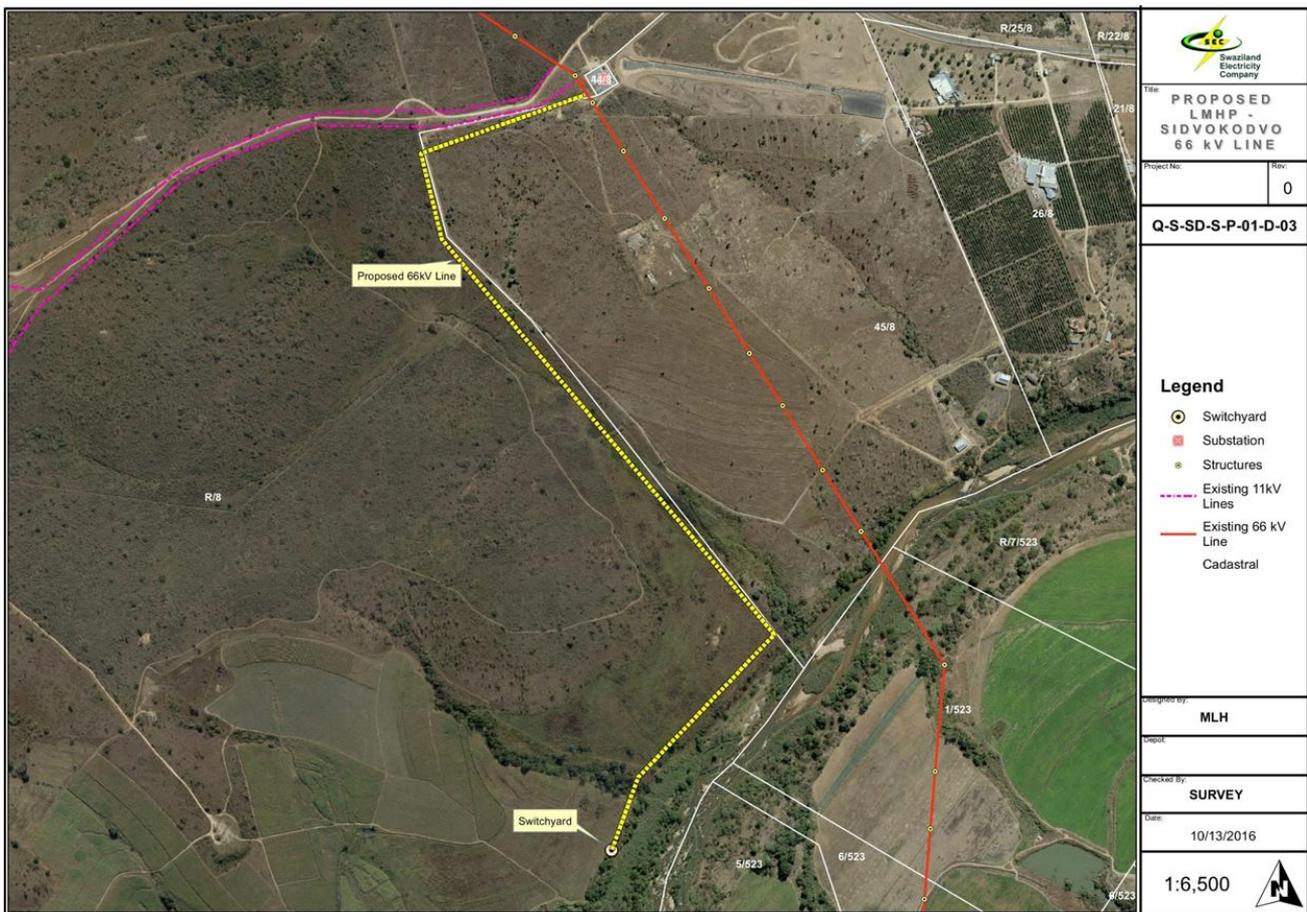


Figure 10: Alignment of the proposed transmission line

In addition, there is land that will be affected by the construction of the weir, which is Crown Land under the Gebeni chieftom (Farm 1153), and furthermore the backwater effects of the weir impoundment will impact this

farm (i.e. Farm 1153) as well as further Swazi Nation Land, viz Farm 1038 and Farm 1037 which are under the Gebeni and Nhlambeni chiefdoms respectively . There have been a number of meetings held with the traditional authority, inner council and development committee of these areas for access to the land. A compensation policy was developed and implemented to ensure proper consultation and compensation was effected.

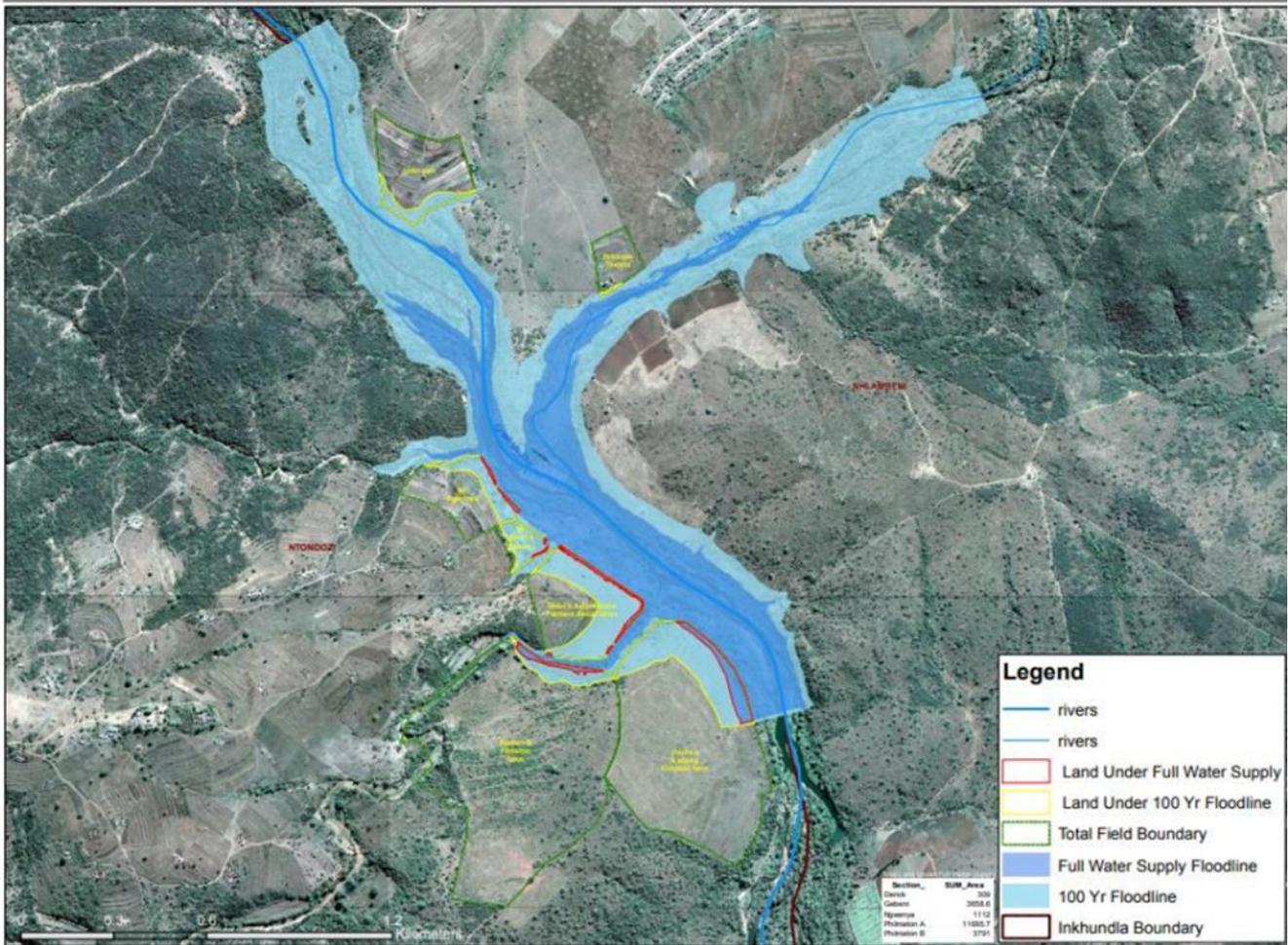


Figure 11: Impact on Crown and Swazi Nation Land

2.6 Implementation Schedule

The original implementation schedule included in the original ESIA Report was based on the assumption that the project would enter construction in late 2022 / early 2023 and commence operations in late 2023. However, delays were experienced in securing land agreements and certain guarantees required under the financing agreements. In addition the LMHPS project has been awaiting an amendment to the VAT Act. The land agreements and guarantees are now to hand and the only pending action is the finalization of financing agreements. The updated implementation schedule is presented in the following table.

Table 3: Implementation Schedule

Activity	Timeframe
----------	-----------

Permits, license and approvals	2014- 2024
Financing agreements	2023- 2024
Construction	June 2024-May 2026
Commissioning	May 2026- May 2026
Operation 1 (MLH)	June 2026 – May 2051
Handover to EEC	June 2051 – January 2052
Operation 2 (EEC)	February 2052- 2077
Decommissioning/Refurbishment	2077

2.7 Quarry Site and Spoil Areas

It is anticipated that rock material generated on-site from excavations for the weir and the canal route will be crushed and used as concrete aggregate. To the extent required, further material will be trucked in from off-site quarry sources, i.e. commercial sources. The LMHPS will generate a surplus of material which will need to be spoiled. The Peebles Block farm has some eroded areas where spoil material will be deposited. As these eroded areas are within farm areas earmarked for centre pivot irrigation, topsoil will be placed over the spoil material, and the areas will be suitably graded to facilitate the establishment of pastures. Some of the spoil material generated will be used in the construction of a further small dam embankment as requested by the Land-owner. Silt material generated from the operation of LMHPS will be spoiled in a defined area or may be used by the Landowner to improve his pastures.

2.8 Site Access

The site is accessed off the MR9 (Yithi Abantu Highway) through the existing Eswatini Dairy farm entrance. An access road to the LMHPS Power House / Substation will be constructed off this existing Eswatini Dairy farm access road along the western border of the Eswatini Dairy farm. Access to the weir, canal and penstock areas will be via the existing Eswatini Dairy farm access road, and via an extension thereto which will be constructed as part of the LMHPS project.

2.9 Workforce

The construction of the LMHPS will need some 120 workers of varying skill levels at the peak of construction effort. Most of the un-skilled workers will be locally recruited, however there will be a construction camp within or adjacent to the Eswatini Dairy farm for 40 skilled workers who will be accommodated temporarily during the LMHPS construction duration.

3 REGULATORY FRAMEWORK IN RELATION TO THE PROJECT

3.1 National Legislation

This HRIA takes into account the existing institutional and regulatory framework within the context of the following Kingdom of Eswatini legal instruments.

Table 4: Legislative Framework

Legislation/Policy	Summary of Provisions	Enforcing Organization	Relevance to Project
Environmental Management Act, No. 5 of 2002	This is the framework law for environmental management in the country. It outlines the principles that govern environmental Management and Institutional framework for national environmental management. It summarises the tools and processes to be used for environmental management, pollution and waste management mechanisms and public participation. It also states provisions for compliance and enforcement of the Act.	Eswatini Environment Authority (EEA)	This is the framework environmental law. While its objective is to ensure environmental protection, it also stakeholder engagement. Compliance ensures environmental risks are mitigated, community concerns are addressed, and the project meets legal and sustainability requirements. The ESIA process as well as the implementation of the project is carried out in compliance with this Act.
Environmental Assessment Regulations, 2022	Provides details for Assessment of new projects and existing operations. Outlines processes and criteria for project screening, categorization and public participation for new projects. Spells out the requirement for environmental audits for operations that are cause for concern for the Eswatini Environment Authority. The process and formats for compilation of environmental	EEA	The Environmental Assessment Regulations, 2022 are relevant to the LMHPS as they outline the procedures and requirements for conducting Environmental Impact Assessments (EIAs) and Environmental Management Plans (EMPs) in Eswatini. Compliance guarantees that environmental risks are identified, mitigation measures are implemented, and stakeholder consultations are

Legislation/Policy	Summary of Provisions	Enforcing Organization	Relevance to Project
	audits, Environmental Assessment and Comprehensive Mitigation Plans. The regulations also		conducted, supporting sustainable development and regulatory approval for the project.
Factories, Machinery and Construction Works Act, 1972	Safety and health of workers. Especially noise limit of 65dBA and dust limit of 150µg/m ³ .	Ministry of Public Works Transport	The Act governs the safety, health, and welfare of workers in industrial and construction settings. It ensures that machinery, equipment, and construction activities are operated and maintained safely, reducing risks of accidents, injuries, or occupational illnesses. Compliance with this Act is essential for protecting employees during both the construction and operational phases of the project, establishing safe work practices, and meeting national occupational health and safety standards.
The Kingdom of Eswatini Constitution Act No.1/2005	This is the supreme law in Eswatini. Section 210 (2) provides that the state shall protect and make rational use of its land, mineral, water resources as well as its fauna and flora, and shall take appropriate measure to conserve and improve the environment for the present and future generation. The constitution also provides for protection of all groups of people, including vulnerable groups.	Eswatini Government	The constitution is binding to Eswatini citizens including implementation of projects in the country as it is the supreme law of the country.
Occupational Health and Safety Act, 2001	Outlines the responsibilities of employer, employee and the government in occupational health and safety issues. It establishes a tripartite advisory committee to advise	Ministry of Labour and	The Act provides the legal framework for ensuring the health, safety, and welfare of workers. It requires the implementation of safety measures, risk

Legislation/Policy	Summary of Provisions	Enforcing Organization	Relevance to Project
	the ministry of Labour on these issues. Occupational health and safety are not the sole responsibility of the employer. The employees through the health and safety committee should also contribute toward application of the occupational health and safety standards.	Social Services	assessments, training, and proper use of protective equipment to prevent workplace accidents, injuries, and occupational illnesses during both construction and operational phases. Compliance with this Act is essential for protecting employees, maintaining safe working conditions, and meeting national occupational health and safety standards throughout the project.
The Public Health Act No. 5, 1969	This act public health management. It defines communicable diseases, and outlines duties of different stakeholders in the notification and management of communicable disease. Food safety issues are also addressed in this act, including the outline of the powers of health inspectors.	Ministry of Health	The Public Health Act, No. 5 of 1969 is relevant to the Metal Recycling Industrial Park as it provides the legal framework for protecting public health and preventing environmental conditions that may pose health risks to the community. It requires proper sanitation, waste management, and control of activities that could lead to pollution, disease, or unsafe living conditions. Compliance ensures that the project's operations, including waste handling, effluent discharge, and site hygiene do not negatively impact the health of workers or nearby residents.
The Workman's Compensation Act 1983	This act provides for the compensation and medical treatment of workers who suffer injury or contract disease in the course of their employment.	Ministry of Labour and Social Security	Occupational safety incidents may occur, creating the need for treatment and compensation of injured employees.

Legislation/Policy	Summary of Provisions	Enforcing Organization	Relevance to Project
Sexual Offences and Domestic Violence Act, No. 15 of 2018	This Act makes provisions concerning sexual offences and domestic violence. Includes provisions for commercial sexual activities, pornography and protection of victims with special measures to protect children. Also contains provisions on the offence of sexual harassment. Sets up a national register for sexual offenders. It also contains provisions concerning the offences related to domestic violence include procedures for protection orders and the protection of victims of domestic violence.	Deputy Prime Minister's Office	The Act prohibits domestic violence and sexual offence for the protection of victims. It is relevant to every citizen who may be victims, perpetrators and witnesses to such offences.
The Industrial Relations Act, 2000	This was enacted to provide for the collective negotiation of terms and conditions of employment and for the provision of dispute resolution mechanisms and for matters incidental thereto	Ministry of Labour and Social Security	During the operation the industrial park, a labour force will be required, this act will provide guidance on issues of collective negotiations
The Employment Act, 1980	This act requires that two parties entering into employment relationship put in place a written contract. It further defines minimum conditions of employment.	Ministry of Labour and Social Security	The project requires labour force, this act will provide guidance on employment contracts and their administration

3.2 International Laws and Standards

By ratifying an international human rights convention, a State commits itself to implementing the international convention into domestic laws and policies. The primary method for human rights enforcement is therefore the ability of individuals to make administrative or legal claims against a State for breaches of the State to respect, protect and fulfil human rights. In addition, individuals may be able to raise human rights cases in regional human rights courts or by submitting complaints to the UN treaty bodies responsible for overseeing the implementation of specific human rights conventions.

States are expected to take appropriate measures towards the full realisation of economic, social and cultural rights to the maximum of their available resources. As such, it is recognised that not all economic, social and cultural rights can be fully realised immediately when a State ratifies the treaties protecting these rights in international law, but also that a lack of resources cannot justify inaction or indefinite postponement of measures to implement these rights.

The following international laws, regulations and agreements are relevant for the implementation of the project:

3.2.1 *Convention on the Rights of the Child*

The Convention acknowledges children as individuals with rights and responsibilities according to their age and development (rather than the property of their parents or as victims), as well as members of a family and community. Underlying the Convention are four main principles: non-discrimination, the best interests of the child, the right to life, survival and development and the right to participation. The recruitment of labour in this project will comply with this Convention by prohibiting the employment of children.

3.2.2 *Convention on the Elimination of all forms of Discrimination against Women*

The Convention on the Elimination of all forms of Discrimination against Women provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in a number of things, including employment. The Convention also places explicit obligations on states to protect women and girls from sexual exploitation and abuse. As such, the hiring process during construction will give equal opportunities to both men and women. Construction can also be a high-risk environment for gender-based violence and harassment (GBVH); where required experts (e.g., local organisations working on GBVH) will be engaged to conduct awareness campaigns to provide information to workers and local communities, such as what is unacceptable behaviour and how to report an incident of GBVH.

3.3 Alignment of International Standards

EEC will follow the relevant Performance Standards of IFC for this project and will also want to ensure that the contractors /subcontracts all comply with the IFC Performance Standards on Environmental and Social Sustainability. Subject to this context, the table below reflects how these Performance Standards are relevant to human rights holders:

IFC Performance standard	Theme	UN Guiding Principles ¹
PS 1- Social and Environmental Assessment and Management Systems	Human rights	Principle 1 – Businesses should support and respect the protection of internationally proclaimed human rights
PS 2- Labor and working conditions.	Labour	Principle 3 – Businesses should uphold the freedom of association and the effective recognition of the rights to collective bargaining Principle 4 – Businesses should uphold the elimination of all forms of forced or compulsory labour. Principle 5 – Businesses should uphold the effective abolition of child labour Principle 6 - Businesses should uphold the elimination of discrimination in respect of employment and occupation.
PS 3- Pollution prevention and Abatement.	Environment	Principle 7 – Businesses should support a precautionary approach to environmental challenges.
PS 4- Community health, safety and security.	Human Rights	Principle 2 – Businesses should make sure they are not complicit in human rights abuses
PS 5- Land Acquisition and Involuntary Resettlement.	Human rights	Principle 2 – Businesses should make sure they are not complicit in human rights abuses
PS 6- Biodiversity Conservation and Sustainable Natural Resource Management.	Environment	Principle 8 - Businesses should undertake initiatives to promote greater environmental responsibility. Principle 9 – Businesses should encourage the development of and diffusion of environmentally friendly technologies.

¹ The 10 principles of the United Nations Global Compact are derived from the Universal Declaration of Human Rights; the Declaration of the International Labour Organisation; the RIO Declaration on Environmental Development and the United Nations Convention Against Corruption.

IFC Performance standard	Theme	UN Guiding Principles ¹
PS 7- Indigenous Peoples.	Corruption	Principle 10 – businesses should work against corruption in all its forms including extortion and bribery.
PS 8- Cultural Heritage	Human rights	Principle 1 – Businesses should support and respect the protection of internationally proclaimed human rights

Human Rights holder and other Stakeholder engagements are central to operationalising all of the above as discussed below.

4 CORPORATE RESPONSIBILITIES

Companies have an obligation to ensure that human rights are respected and that their activities cause no harm. This is in line with the regulatory framework of the Kingdom of Eswatini as set out above. Project policies are designed to be:

- Participatory
- Non-discriminatory
- Empowering
- Transparent
- Accountable

In order to achieve these aims, the proposed project must follow the process of:

- ✓ Planning and scoping
- ✓ Data collection and baseline development
- ✓ Analysing impacts, to develop mitigation measures and management
- ✓ Develop systems for reporting and evaluation

4.1 PLANNING AND SCOPING

4.1.1 *Socio economic baseline*

The population of Eswatini is largely rural with the population of Eswatini concentrated in the Hhohho and Manzini regions. Thirty-one percent (31%) of the Eswatini's population reside in the Manzini region where the proposed project is allocated. Fifty-three percent (53%) of the Eswatini population are female whilst 47% are male (Central Statistical Office, Volume 3, 2007).

4.1.2 *Social Indicators*

"A human rights indicator is specific information on the state or condition of an object, event, activity or outcome that can be related to human rights norms and standards; that addresses and reflects human rights principles and concerns; and that can be used to assess and monitor the promotion or implementation of human rights."²

Demographic and social indicators have been gleaned from data produced by the United Nations Country Profile of Eswatini (Refer to Table 16)

² Digitallibrary.un.org

Table 5: Demographic and Social Indicators

Social Indicators		
Indicator	Year	Percentage/Ratio
Population growth rate (average annual percentage)	2010-2015	1.5
Urban population growth rate (average annual percentage)	2010-2015	1.2
Rural population growth rate (average annual percentage)	2010-2015	1.4
Urban population (%)	2013	21.2
Population age 0-14 years (%)	2013	37.8
Population age 60+ years (female and male % of total)	2013	6.1/6.7
Sex ratio (males per 100 females)	2013	97.4
Life expectancy at birth (females and males, years)	2010-2015	48.5/49.7
Infant mortality rate (per 1000 live births)	2010-2015	64.6
Fertility rate, total (live birth per woman)	2010-2015	3.4
Contraception prevalence (age 15-49, %)	2006-2012	65.2
International migrant stock (000 and % of total population)	Mid 2013	25.5/2.0
Refugees and others of concern to UNHCR	Mid 2013	927
Education: Government expenditure (% of GDP)	2006-2012	8.3
Education: Primary –secondary gross enrolment ratio (f/m per 100)	2006-2012	87.9/95.8
Education: Female third level students (% of total)	2006-2012	50.6
International homicides (females and males, per 100 000)	2008-2010	13.3/69.9
Seats held by women in national parliaments (%)	2014	6.2

Source: [Http://data.un.org/Country/Profile](http://data.un.org/Country/Profile)

4.1.3 Vulnerabilities

4.1.3.1 HIV/AIDS

The key factors that underpin Eswatini's social vulnerability are the devastating impact of the Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pandemic with national HIV prevalence estimated at 39% in 2006, increasing food insecurities due to persistent drought conditions in certain regions of the country, low economic growth levels (below 2% in 2006/7); shrinking agriculture output and rising unemployment. In 2002 the unemployment rate was 34.2%. The impact of HIV and AIDS, unemployment and rising poverty and the corresponding decrease in purchasing power exposes many households to food insecurity (pension-watch knowledge centre).

The Government launched an initiative, called "ALL IN". This initiative is aimed at ensuring that the country attains a National Vision of having an AIDS free generation by 2022. This campaign is also aimed at uniting different sectors in the reduction of AIDS deaths by 65% and reduction in new infection by adolescents by 75% by 2022, and thus set the AIDS movement on track to end the AIDS epidemic among adolescents by 2030. This initiative follows the release of recent HIV/AIDS data which shows:

- In a recently-completed Eswatini country assessment results show that amongst late adolescents (15–19 years), girls recorded a higher HIV prevalence of 5% compared to their male counterparts who are pegged at 3%;
- In the SHIMS (Eswatini HIV Incidence Measurement Survey) study, undertaken in 2012, girls (18–19 years) have a higher HIV incidence of 4% compared to boys of the same age at 1%;
- In the same study (SHIMS), young men between 20–24 years have an HIV incidence of 2% whilst young women are at 4%, which is twice the rate of males. In simple terms this means young women (20–24 years) are twice at risk of contracting HIV than males in the same age bracket; and
- That HIV and AIDS is characterised by gender disparities is also evident in the national prevalence of HIV estimated at 38% for women compared to men who are at 23%.

Through the implementation of the Extended National Strategic Framework (ENSF), Eswatini aims to achieve the following impact level results (<http://Eswatini.usembassy.gov/hiv-in-Eswatini>):

- 50% and 90% reduction of new HIV infections among adults and paediatrics, respectively, by 2015;
- Avert 15% deaths amongst people living with HIV and in particular those with TB/HIV co-infection;
- Alleviate the socio-economic impacts of HIV and AIDS among vulnerable groups; and
- Improve efficiency and effectiveness of the national response.

4.1.3.2 HIV and Tuberculosis

The country faces a dual epidemic of HIV and tuberculosis (TB), where the risk of acquiring TB is between 20 and 37 times greater among people living with HIV. Over 80% of TB patients are also HIV positive and TB is responsible for more than a quarter of deaths among people living with HIV. There are 1,380 per 100,000 incident TB cases occurring annually in Eswatini (World Health Organisation Global TB report 2012). There have been

remarkable improvements in the TB treatment success rate from 68% in 2009 to 73% in 2012, although still below the WHO target of 85%. Eswatini is seeing a continued increase in drug resistant TB cases. Currently, between 7-10% of all new TB cases are multidrug-resistant (Eswatini Drug Susceptibility Survey, 2010).

4.1.3.3 Household Composition and Basic Service Provision

According to the Eswatini Demographic and Health Survey (2006-2007), the households in Eswatini consist of an average of 4.6 persons. Almost half of households are headed by women. The conditions of housing vary greatly based on residence. Almost two in three urban households have electricity compared with two in five households in rural areas. More than two thirds of households have access to an improved water source and three in four households are within 15 minutes of their drinking water supply. Most urban households have water piped into their dwelling or yards (75%) while only 23% of the rural households have directly piped water. Rural households also rely on public taps (19%), surface water (22%) and unprotected dug wells (12%) for their drinking water. Half of households nationwide have improved (and not shared) toilet facilities (Eswatini Demographic and Health Survey (2006-2007)).

4.1.3.4 Education and Pension and Grants

There is about 78.3% of adult women literacy compared to 80.9% for men. The country has three mandatory pension schemes namely:

- The Public Service Pension Fund (PSPF);
- The Members of Parliament and Designated Office Bearers Pension Fund (MOPDO); and
- The Eswatini National Provident Fund (SNPF).

In October 2005, the Government of the Kingdom of Eswatini introduced the Old-Age Social Grant system. This is a state funded system wherein members are entitled to benefit when they have reached the age of sixty and they are not otherwise pensionable. Payment is made at 3 month intervals and currently they are paid E200.00 (US\$29.07) through their constituencies known as Tinkhundla Centres. This system is funded through taxes; beneficiaries do not make any contributions towards this benefit (IOPS, 2011).

4.1.3.5 History, Culture and Tradition

Eswatini has always been a land with a King, whose line has led the people since the nation was established. During the 15th and 16th centuries, Africans of Nguni descent migrated southwards from Central Africa under the leadership of Dlamini III and under Ngwane III in the mid-18th century some settled in the area which today is called Shiselweni and southern Eswatini. These people, the Nkhosi Dlamini became known as Swazis. Nkhosi means king and Dlamini is the surname of the Royal family, whose royal line dates back to 1550. Following King Sobhuza II's death in 1982, Queen Dzeliwe became a regent until the young heir, Prince Makhosetive returned from Sherborne School in England and the following year in 1986 aged 18 years ascended the throne as King Mswati III (Eswatini Discovery, 2015).

4.1.3.6 Family Life

Eswatini's traditional social structure is based on clans, which through marriage have intermingled. A class system regulates marriage and within the aristocracy the first wife is never the senior one and a second wife of higher status will always take precedence. A preferential marriage arranged by the parents bestows a higher status on the union, forming a permanent bond between the two families. However much of this has been changing over the decades due to slow progression into a more 'western' way of life. Traditionally, a bridegroom's family pays "lobola" (a dowry) in the form of cattle, in keeping with the status of the bride's family. A traditional marriage ceremony may take a full weekend before the bride is anointed to indicate that the union has taken place. The rights of fatherhood are acquired through lobola and if no cattle have been given, any child born of the union remains within the mother's family.

Discipline and family responsibility are imparted to children from an early age and the authority of the father is respected and obeyed. Boys enter regiments in which they train with their peers, developing with the same group throughout life, and members of the regiments are expected to support each other. Only when a young man achieves mature warrior status may he consider courtship as his earlier responsibilities involved participation in national projects and rituals. Old age is treated with reverence within the culture (Eswatini Discovery 2015).

4.1.3.7 Traditional Medicine and Divination

Traditional healers are regarded as physicians, prophets, priests, diviners and herbalists, and many of the people consult these mostly male practitioners. The "inyanga", as they are known, inherit their skills from their fathers and grandfathers and they hold a senior position in society. Divination involves throwing bones and interpreting the patterns into which they fall. The "sangoma" is a traditional diviner who has been called to the profession. Generally women, they are consulted to alleviate physical and mental problems, attend various ceremonies and act as counsellors. When divining, the sangoma traditionally relies on spirit possession (Eswatini Discovery 2015).

4.1.4 Population and Demographics of Manzini Region

Fifty-three percent (53%) of Manzini population are female and 47% male. Sixty percent (60%) of the female population falls within the 15-64 years of age while 57.8% of males fall within this category. Manzini is the most populated region of Eswatini. Manzini and Hhohho regions have the greater number of economic activities and this may be a contributing factor in terms of increasing population. The annual growth rate in 2007 was estimated at 1.3% for the region of Manzini. The Manzini and Hhohho regions were the only regions with positive net migration over the 1997-2007 years. The average number of household members in Manzini is 4.4 (Central Statistical Office, Volume 6, 2007).

4.1.5 Housing and Basic Services

The majority (75%) of houses are built with cement bricks and blocks and a significant number of houses (47.3%), consist of a single room. Thirty-four percent (34%) are provided with drinking water via a stand pipe into the yard,

14.5% have piped water into the house and 12.5% make use of community standpipes and 12.7% capture rainwater for drinking purposes. Fifty percent (50%) of houses uses pit latrines as sanitation facilities with 13% of households having flushing toilets. More than forty percent (42.5%) of households have access to electricity, while 43.7% utilise candles for lighting purposes. Cooking is predominately conducted with wood (38.4%) whilst 28.6% of households cook with electricity (Central Statistical Office, Volume 6, 2007).

4.2 Data Collection method and baseline development

This section outlines the methodology applied in conducting the Human Rights Impact Assessment (HRIA) for the proposed Lower Maguduza Hydropower Scheme (LMHPS). It describes the overall assessment design, the approaches used to engage stakeholders and affected communities, and the ethical considerations applied throughout the process. The methodology was designed to ensure that the assessment was inclusive, transparent, and aligned with national legal requirements and international best practice.

4.3 Principles for Effective Engagement

Stakeholder engagements are informed by a set of principles defining core values underpinning interactions with stakeholders. Common principles based on International Best Practice include the following:

- **Openness and life-cycle approach:** public consultations for the project(s) will be arranged during the whole life-cycle, carried out in an open manner, free of external manipulation, interference, coercion or intimidation;
- **Informed participation and feedback:** information will be provided to and widely distributed among all stakeholders in an appropriate format; opportunities are provided for communicating stakeholders' feedback, for analysing and addressing comments and concerns;
- **Commitment** is demonstrated when the need to understand, engage and identify stakeholders is recognised and acted upon early in the process;
- **Integrity** occurs when engagement is conducted in a manner that fosters mutual respect and trust;
- **Respect** is created when the rights, cultural beliefs, values and interests of stakeholders are recognised;
- **Transparency** is demonstrated when stakeholder concerns are responded to in a timely, open and effective manner;
- **Inclusiveness and Sensitivity:** stakeholder identification is undertaken to support better communications and build effective relationships. The participation process for the projects is broad and inclusive. All stakeholders at all times are encouraged to be involved in the consultation process. Equal access to information is provided to all stakeholders. Sensitivity to stakeholders' needs is the key principle underlying the selection of engagement methods. Special attention is given to vulnerable

groups, in particular women, youth, elderly, persons with disabilities, displaced persons, those with underlying health issues, and the cultural sensitivities of diverse ethnic groups.

- **Trust** is achieved through open and meaningful dialogue that respects and upholds stakeholder's beliefs, values and opinions.

An effective Stakeholder Engagement results in:

- **Managing costs:** Effective engagement can help project proponents avoid costs, in terms of money and reputation;
- **Managing risk:** Engagement helps project proponents and stakeholders to identify, prevent, and mitigate environmental and social impacts that can threaten project viability;
- **Enhancing reputation:** By publicly recognising human rights and committing to environmental protection, project proponents involved in financing the project can boost their credibility and minimise risks;
- **Avoiding conflict:** Understanding current and potential issues such as wider objectives of proposed project activities;
- **Improving national policy:** Obtaining perceptions about a project, which can act as a catalyst for changes and improvements in practices and policies;
- **Identifying, monitoring and reporting on impacts:** Understanding a project's impact on stakeholders, evaluating and reporting back on mechanisms to address these impacts; and

Managing stakeholder expectations: Consultation also provides the opportunity for GoKE to become aware of and manage stakeholder attitudes and expectations.

4.3.1 Introduction

This section describes the process of the stakeholder consultation process as part of the ESIA³; furthermore it provides details of the public consultation and participation activities undertaken during the ESIA for the LMHPS. The law states that public participation and provision of access to information are obligatory procedures of the environmental authorisation process. The consultations aimed to be fully-inclusive, open and transparent. A number of stakeholders are involved in this project ranging from the Government Line Ministries, business

³ There are a number of benefits to taking integrated approaches combine quantitative and data collection for the HRIA with the requirements of ESIA and the ESMP, such as:

- Building on and utilising existing impact management structures
- Avoiding consultation fatigue of stakeholders
- Facilitating analysis of the interrelatedness of environmental, social and human rights impacts; and
- Building on the respective strengths of the different disciplines involved.

(including potential IPPs), the community and other stakeholders. The Public consultation process started in 2014 during preparation of the inception report through to the preparation of the ESIA and is on-going. This ensured that feedback from communities and other stakeholders directly or indirectly affected by the project is collected so that it may be used to adjust and improve the project's design, planning and implementation ensuring that the project is both environmentally and socially sound.

The consultation process was carried out in accordance with the requirements of the EEA and IFC. Public consultation, disclosure and stakeholder engagement are key requirements of IFC's Policy on Social and Environmental Sustainability embodied within the Performance Standards (PS). The requirements for stakeholder engagement in projects require that stakeholder consultation and engagement should start as early as possible in the project cycle; continue throughout the life of the project; be free of external manipulation, interference, coercion, or intimidation; where applicable enable meaningful community participation; and be conducted on the basis of timely, relevant, understandable, and accessible information in a culturally appropriate format.

The primary aims of the public participation process are:

- To inform Interested and Affected Parties (I&APs) and key stakeholders of the proposed application and environmental studies;
- To initiate meaningful and timeous participation of I&APs;
- To identify issues and concerns of key stakeholders and I&APs with regards to the application for the development (i.e. focus on important issues);
- To promote transparency and an understanding of the project and its potential environmental (social and biophysical) impacts (both positive and negative);
- To provide information used for decision-making;
- To provide a structure for liaison and communication with I&APs and key stakeholders;
- To ensure inclusivity (the needs, interests and values of I&APs must be considered in the decision-making process);
- To focus on issues relevant to the project, and issues considered important by I&APs and key stakeholders; and
- To provide responses to I&AP queries.

The public participation process for the proposed project was undertaken according to the stages outlined below.

4.3.2 Identification of Human Right holders and other relevant Stakeholders

At the inception of the ESIA, meetings were held in Mbabane with the EEC and with various government departments in order to identify key stakeholder groups and also concerns from a policy perspective. The project team also made a number of visits to the project site to undertake an initial stakeholder assessment. For the purposes of effective and tailored engagement, stakeholders of the project will be divided into the following two

(2) core categories: the project affected parties (PAPs) category, which include vulnerable groups. Another category is: Other interested parties (OIPs)

Project Affected Parties – persons, groups and other entities within the Project Area of Influence (PAOI) that are directly influenced (actually or potentially) by the project and/or have been identified as most susceptible to change associated with the project, and who need to be closely engaged in identifying impacts and their significance, as well as in decision-making on mitigation and management measures;

Vulnerable groups - PAPs also include vulnerable persons who may be disproportionately impacted or further disadvantaged by the project(s) as compared with any other groups due to their vulnerable status⁴, and that may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the project.

Other Interested Parties – individuals/groups/entities that may not experience direct impacts from the Project but who consider or perceive their interests as being affected by the project and/or who could affect the project and the process of its implementation in some way. These include regulatory institutions, and other stakeholders who may have an impact on project implementation.

4.3.3 Project Affected People

The following table outlines the list of project affected People

Table 6: List of Project Affected People

Human Rights Holders	Impact	Impact Description	Mitigation
Gebeni Community	Loss of access	Reduced access to land, river crossing points, grazing areas, and agricultural land due to permanent land take, flooding (FSL/HYF), and construction activities. Increased safety risks from higher water levels and wildlife (e.g. crocodiles, hippos).	Compensation for restricted land use; consultation with traditional authorities; maintenance of access routes where possible; monitoring of land-use restrictions; implementation of a moratorium on new building/planting; consideration of community infrastructure support (e.g. footbridge).
Nhlambeni Community	Loss of land use and resources	Partial loss or restriction of communal land, gardens, grazing areas, and access to river water due to inundation and changed flood lines.	Compensation for land restriction impacts; allowance for continued agricultural use where safe; avoidance of fencing riverbanks where possible; consultation with

⁴ Vulnerable status may stem from an individual's or group's race, national, ethnic or social origin, colour, gender, language, religion, political or other opinion, property, age, culture, literacy, sickness, physical or mental disability, poverty or economic disadvantage, and dependence on unique natural resources.

Human Rights Holders	Impact	Impact Description	Mitigation
		Potential loss of indigenous plants used for cultural and medicinal purposes.	community leadership; compensation for loss of trees/resources; ongoing monitoring of compliance.
Pebbles Farm Owner and Workers	Permanent land take and livelihood impact	Permanent acquisition of portions of Title Deed Land for project infrastructure, potentially affecting farming operations and workers' livelihoods.	Compensation at full replacement cost in line with the Land Acquisition Act; payment prior to land acquisition; assistance to restore livelihoods where required; clear communication of entitlements.
Philmaton Farm	Loss of agricultural land and income	Loss of productive agricultural land due to FSL, HYF restrictions, and temporary construction impacts, including disruption to tenant farming activities.	Compensation for permanent and restricted land; rental compensation for temporary land use; compensation for crops planted before the cut-off date; rehabilitation of temporarily used land after construction.
Gebeni Community Garden	Loss of agricultural production	Loss or restriction of communal garden land due to flooding impacts, affecting food security and income for garden members.	Compensation for restricted land use; compensation for crops where applicable; engagement with the garden association; support for alternative livelihood restoration measures where feasible.
Princess Thembi	Restriction on homestead expansion and land use	Limited ability to expand homestead structures and continue gardening activities near the river due to flood risk and land-use restrictions.	Compensation for restricted land; recognition of affected rights under the entitlement framework; consultation on alternative land options if required; monitoring of compliance with agreed restrictions.
Robert Ngwenya	Loss of land and farming livelihood	Loss and restriction of irrigated agricultural land, potential damage to irrigation systems, and reduced access to water affecting farming productivity.	Compensation for permanent and restricted land; compensation for crops and irrigation infrastructure; provision of rehabilitation assistance; consideration of alternative land near water sources.
Project Workers	Temporary employment	Exposure to construction-related occupational health	Compliance with labour and OHS requirements; provision of safe

Human Rights Holders	Impact	Impact Description	Mitigation
	and safety risks	and safety risks and temporary nature of employment.	working conditions; clear employment terms; adherence to national labour standards and project health and safety plans.

4.3.4 Other interested parties

The table below outlines other interested parties in the project.

Table 7: List of other interested parties

Stakeholder	Subgroups	Contact/focal person
	Community Liaison Officer(s)	To be determined
Clinics	Luke Commission	To be determined
Police	Sidvokodvo Police Station	To be determined
Schools	Sidvokodvo Preschool	To be determined
Parastatals	EWSC	To be determined
	EEC	
	EPTC	
Government Ministries	Ministry of Commerce, Industry and Trade	To be determined
	Ministry of Public Works and Transport	To be determined
	Ministry of Natural Resources and Energy	To be determined
Sidvokodvo business Association		Mr. Sandile Dlamini

4.4 Engagements During the Screening and Scoping Phase

4.4.1 Preparation of Background Information Document

A Background Information Document (BID) for the project has been compiled and the aim of this document is to provide a brief outline of the proposed project, provide preliminary details regarding the ESIA process, and explain how I&APs could become involved in the project. The BID, together with a comment sheet and relevant map, was distributed to all identified stakeholders and I&APs inviting them to register for the proposed project and submit details of any issues and concerns that they may have.

4.4.2 Site Notices

Site notices were erected at various noticeable locations around the perimeter of the site. A2 size site notices in both English and Siswati were placed at the boundaries of the site and surrounding population concentrated areas (Sidvokodvo railway station, Sidvokodvo Tri cash Spar, amongst others), advertising the ESIA process for the project.



Figure 12: Public Notice on Display

4.4.3 Advertising

The ESIA process for the proposed project was advertised in the local newspaper. The advertisement requested I&APs to register, and to become involved in the project. The primary aim of the advert was to ensure that the widest possible group of I&APs were informed of the project, and to elicit comments from the public regarding the proposed project.



Figure 13: Newspaper advert

All I&AP information (including contact details), together with dates and details of consultations and a record of all issues raised is recorded within a comprehensive project database. This database has been updated on an on-going basis throughout the project, and acts as a record of the communication/public involvement process.

4.4.4 Scoping Meeting

The primary aim of the public meeting was to:

- Provide I&APs and stakeholders with information regarding the proposed project and associated infrastructure;
- Provide I&APs and stakeholders with information regarding the ESIA process;
- Provide an opportunity for I&APs and stakeholders to seek clarity on the project;
- Record issues and concerns raised; and
- Provide a forum for interaction with the project team.

The scoping phase for the ESIA process was concluded in 2009. However, to ensure that issues from stakeholders have been taken into consideration, a public meeting was conducted on **20 March 2015** at Nkonyeni

Golf Estate as part of the ESIA, to re-introduce the project to the public and to solicit inputs and get stakeholders engaged again in the process. Minutes of these consultations have been compiled. Stakeholder engagement and consultation will be carried out throughout the life of the project in order to ensure that informed decisions are made about the project.





Figure 14: Pictures taken during public meeting

4.4.5 Comments and Questions Raised During the Screening and Scoping Stage

The following table shows the issues raised during the Screening and Scoping Stage.

Table 8: Issues and concerns discussed during screening and scoping stage

Issue/Comment/Concern	Response
<ul style="list-style-type: none"> • Could you please explain the set timeline of the project? 	<ul style="list-style-type: none"> • As explained the project has been split into different phases, presently it is at the EIA phase, in April 2015 a draft report should be submitted to the SEA. Once SEA has received the draft report feedback should be given in 4 weeks' time. Then after the report is reviewed for public review and is made available for 2 weeks. This all comes to a total of 6 weeks between the two phases.
<ul style="list-style-type: none"> • From 2009-2015, why has it taken this long to move onto the next phase of the project? 	<ul style="list-style-type: none"> • This is attributed to the availability of funds, which SEC did not have to finance the project. Since then it has acquired finance from a private company which will handle the financing and development of the project and after a period will hand over the project to SEC.
<ul style="list-style-type: none"> • Looking at the attendance of people in this meeting, how were people notified of the meeting? 	<ul style="list-style-type: none"> • Print media was used as a form of advertisement in the local newspaper and posters were placed in the nearby supermarket Spar and Sidvokodvo Railway.

Issue/Comment/Concern	Response
	<p>In Addition, some stakeholders were called and encouraged to attend</p>
<ul style="list-style-type: none"> • What is the anticipated tariff for this project? 	<ul style="list-style-type: none"> • At the moment nothing has been concluded on prices for this particular project.
<ul style="list-style-type: none"> • What is the upstream generation size? 	<ul style="list-style-type: none"> • Maguduza 6Mw with a very high water volume Edvwaleni 15 Mw
<ul style="list-style-type: none"> • Is there concern on reduction of water flow? 	<ul style="list-style-type: none"> • The water affairs department has been included in the project and will look into potential water issues. No major impact on water flow is expected as the water will continuously be re-used.
<ul style="list-style-type: none"> • Is there a study on the flow of the river. The decrease and increase of water in the rivers within the area? • Comment: it is important for similar projects like these to be initiated and developed considering the depreciating exchange rates which make importation of energy expensive. 	<ul style="list-style-type: none"> • Minimum annual flows are known. Long term studies on the availability of water considering the presence of global warming are unknown. • There are hydrological studies still to be done.
<ul style="list-style-type: none"> • What is the labour requirement for the project, are there employment opportunities for local communities? 	<ul style="list-style-type: none"> • This will depend on the methods that will be used for development. The largest opportunity will be available during construction. During operation machines perform the required work automatically therefore no human labour is required. It is only during maintenance where jobs may be available at certain times. • As the project will be financed and run by the developer for period of 20 years they will be expected to perform maintenance of the plant for that period. Once the set period is over the project will be handed over to the SEC and they will carry out all necessary activities required by the plant such as maintenance.

Issue/Comment/Concern	Response
<ul style="list-style-type: none"> What happens after 20 yrs. will the machines still be in good condition, what is the design life time of these machines? 	<ul style="list-style-type: none"> Hydropower plants have been designed to operate for long periods if properly maintained. SEC has been able to maintain existing hydropower plants for over 50 years without external assistance therefore has the expertise and ability to maintain the proposed one once it has been acquired from the developer.

4.5 Consultations During the compilation of the ESIA and ESMP

4.5.1 Focus Group Meetings

A social baseline survey was carried out after the public meeting in the form of focus group meetings. During this survey, individual interviews were held with the stakeholders and these stakeholders were asked for their perceptions and expectations with respect to the proposed project and resettlement in particular. These meetings were conducted mainly with the individuals and representatives of the organisations and the list of people consulted with is outlined below.

- Early Harvest (Pty) Ltd, owner of Eswatini Dairy farm;
- Mr Joseph Ndlangamandla, owner of Farm 1154, Portion 3;
- Prince David Dlamini, owner of Farm 1154, Portion 4;
- Mr Mannie Stapenberg, owner of Inhlambo Farm and Baxters Range;
- Mr Rudi Rudolph, owner of Nkonyeni Golf Estate;
- Mr Sinaye Dlamini, owner of Farm 1154, Portion 2;
- Prince Guduza, owner of Farm 1154, Baxters Range Portion;
- Gebeni community traditional authority for Farm 1153 and 1038
 - Prince Mbobo – acting Chief, Mr Paul Kunene – Indvuna,
 - Gebeni inner council and imisumphe representatives
- Gebeni Community Police representative
- Farm 1153 administration Committee (Mr Richard Ngwenya, Siphon Dlamini, Edward Maphalala,
- Tenant of Farm 1153 (Mr Dumsani Dlamini);
- Nhlambeni community traditional authority for Farm 1037
 - Mr Amos Lulane – Indvuna under Chief Matatazela
- Sidvokodvo Police Station;
- Sidvokodvo Creche (Strawberry Patch);
- Sidvokodvo Railway Company; and

- Sidvokodvo Railway Clinic.



Figure 15: Photos of Consultation meetings with Egebeni community traditional leaders

4.5.2 Compensation Engagements

Discussions were held with the Manzini Regional Secretary to address the matter of compensating the Project Affected Parties (PAPs). The PAPs were engaged in consultations where their concerns and issues were thoroughly discussed and appropriate responses were provided. The Gebeni PAPs were given compensation forms to review and sign, while the compensation process for the Nhlambeni PAPs is still in progress. Attached is an image capturing the consultation meeting with the Gebeni PAPs.



Figure 16: Gebeni Compensation Consultation

Table 9: Issues and concerns discussed during ESIA Compilation Stage

Stakeholder	Issue raised	Response
Gebeni Community (10 October 2023)	<ul style="list-style-type: none"> At the last meeting, we requested that compensation amount be augmented due to the rising of costs of living. 	<ul style="list-style-type: none"> Mr Makhanya responded that the issue was discussed and there is a certain increment to the compensation sum. Mrs Khumalo from MTK greeted everyone and stated that the compensation was reviewed and appropriate recommendations were provided to EEC, which have been approved.
	<ul style="list-style-type: none"> In terms of the quality or state of the community garden structure, will the compensation payment be sufficient to hire contractor to construct the garden to its former state/glory or what? The garden needs to be sustained in the community. The only change being made is that it will be relocated from close to the river. 	<ul style="list-style-type: none"> Mr Manyatsi from the community stated that the discussion was that the fencing and piping costs would be calculated by EEC for relocation. As for compensation, the crops grown at the time will be compensated for as per discussions. A request can be made to EEC to employ contractor that will relocate the fence and piping. Mr Makhanya (EEC) further explained that the compensation was in two ways: <ul style="list-style-type: none"> Compensation of the crops in the gardens and The infrastructure that would be affected so the replacement costs for the fence was calculated. Even if found in bad state the infrastructure is replaced in an improved state. He further stated that the important subject is that others prefer to be paid the compensation so that they handle it yet others do not request for payment but require the infrastructure to be replaced to its former state but not sure which agreement was made with the Gebeni community.

Stakeholder	Issue raised	Response
		<ul style="list-style-type: none"> The compensation amount calculated included the sum of both the crops and the infrastructure but divided accordingly. He explained that the only infrastructure that will be compensated for will be the area that is affected by the project. EEC will be unable to fence or provide compensation for the whole garden. Only along the project area will the infrastructure be compensated for.
	<ul style="list-style-type: none"> The Indvuna used a metaphor of the garden as a house to make his argument. His argument was that the garden is like a house in that both are complex systems with many interconnected parts. If one part of the garden is disturbed, it will have a ripple effect on the rest of the garden. Similarly, if one part of a house is disturbed, the rest of the house will be affected. Therefore, the compensation should consider the interconnected nature of the garden and not just the individual portion that will be affected. The compensation for the disturbed portion of the garden won't be enough to address the overall impact on the entire garden 	<ul style="list-style-type: none"> Mr Makhanya argued that the house-garden metaphor is not the best comparison and that a homestead is a better analogy. His argument was that the garden is more like a homestead than a house. Each section of the garden is like a separate house but is still part of the larger whole of the garden. Therefore, compensation should be provided for the specific portion of the garden that will be affected, rather than the entire garden.
	<ul style="list-style-type: none"> The garden will be relocated and the pipeline and water abstraction point for the garden will change once the 	<ul style="list-style-type: none"> Mrs Khumalo (MTK) responded that community consultations and deliberation are integral to the project, but agreements were already made during the initial consultations, which addressed all the

Stakeholder	Issue raised	Response
	<p>dam is constructed hence request EEC to repair or replace the whole garden.</p> <ul style="list-style-type: none"> The community garden is 6 hectares and it should return to its original state when relocated. The community has the land or space for the garden relocation, the only change is that it will be relocated. 	<p>community concerns and comments about the community garden and other affected areas. The process is at the compensation phase whereby payments will be made in accordance with the agreements formulated. These issues raised were undeniably included and accounted for in the initial discussions, therefore the community should not be concerned. A CLO has also been appointed to address any disputes or issues that might arise during the project. Solutions will be proposed and implemented, as needed.</p>
	<ul style="list-style-type: none"> EEC was asked to liaison with MoPWT regarding the construction of the bridge to ensure that it is large enough to accommodate vehicles. What was MoPWT's response? 	<ul style="list-style-type: none"> EEC discussed the matter with MoPWT, but MoPWT was unable to accommodate the request due to the construction of another bridge in the same area.
	<ul style="list-style-type: none"> I recall that if the proposed area for the dam construction is on your land, you can request Indlunkhulu for compensation with another piece of land. This would also apply to the community garden, which was discussed and agreed upon. It was proposed that the 6-hectare garden should be fenced, even though only a portion of it is being relocated to maintain the garden as a whole. 	<ul style="list-style-type: none"> Noted
	<ul style="list-style-type: none"> Indvuna was grateful for the project as it will generate electricity for the country and relieve the burden of 	<ul style="list-style-type: none"> Noted

Stakeholder	Issue raised	Response
	demand from South Africa that supplies the country. He stated that agreements were established and the meeting was to remind each other on those arrangements as per agreements.	

4.6 Disclosure

After the EEA had reviewed the ESIA and determined that all potential impacts have been predicted with reasonable mitigation measures, this report will be taken for public review. This report will be advertised in local media as outlined in the Environmental Assessment Regulations, 2022. The report will be distributed to strategic, accessible places around the project area for the public to review. Any objections, concerns and issues from the public will be received by the EEA and passed to Eswatini Metal Foundries to be addressed. The responses to these comments will be sent to the IAPs who sent them by the EEA and the EEA will make sure the concerns have been addressed adequately. It is then that the EEA would be in a position to approve the project for implementation.

4.7 Stakeholder Engagement after EIA process

Stakeholder engagement is not be limited to the EIA preparation period. It is expected that stakeholders and the public will be engaged through the lifecycle of the project. The project will ensure that stakeholders of this project are continuously engaged since this is key to the sustainability of the project.

4.7.1 Engagements with PAPs for signing of compensation Certificates

Table 10: Issues and concerns discussed during the signing of compensation certificates

Stakeholder	Comment/Issue	Response
Gebeni Community (07 November 2023)	<ul style="list-style-type: none"> Request for boundary pegs or stickers to mark the community garden. 	<ul style="list-style-type: none"> We will engage with the project team and consult on the best way to respond to the request.
	<ul style="list-style-type: none"> We appreciate of the compensation, but the increment is inadequate 	<ul style="list-style-type: none"> Comment noted
	<ul style="list-style-type: none"> My personal documents were stolen, and as a result, I do not currently have a valid ID. I need time to apply for a new one. 	<ul style="list-style-type: none"> Applying for an ID may not take too long, but should report on the weekend whether the application was successful or not.
	<ul style="list-style-type: none"> Mrs Ngwenya stated that her spouse, Mr Ngwenya, does not have an ID, because their home was 	<ul style="list-style-type: none"> Mr Makhanya responded that would not be issue, as long as both parties agree to it. Since Mrs Ngwenya is known by the Umphakatsi,

Stakeholder	Comment/Issue	Response
	<p>burglarized and they were physically assaulted and robbed of their belongings (bank cards, passport, ID). Given these circumstances, is it possible to represent Mr Ngwenya and sign the compensation forms on his behalf?</p>	<p>they can attest to her identity. Mr Ngwenya also agrees that it would not be issue. This process has been used in other projects, where PAPs did not have bank accounts. If the compensation sum is less than E15,000.00, it can be sent via e-wallet, but amounts higher than that require a bank account. EEC has never used Eswatini MTN mobile money for compensation transfers but uses bank ewallet.</p>
<p>Gebeni Community (22 August 2023)</p>	<ul style="list-style-type: none"> What can be done for someone who knowing about the risks of the project, planted crops for income on the project area (flood line) seeing that the soil/land was fertile? What if I cultivate plants that will promote grass growth, and with monitoring by EEC and MTK to ascertain that no erosion would occur, would that suffice to avoid erosion? 	<ul style="list-style-type: none"> Once compensations begin EEC will alert the affected community members on the cutoff date, which means whatever the PAP does between the compensation period and before the projects start is their own risk and accountability. This also means the PAP will be using land which is restricted since compensation would have been paid and therefore cannot protest to anyone. The dam flood line area is delineated as part of the project affected area, which is off limit for any activities especially farming since that has a high potential for sedimentation of the dam due to land clearing. That affects the capacity of the dam. The compensation process as explained previously means that the PAPs are compensated for their property that is to be affected by the project, which means that area is part of the project and will be off limit for any activity.

Stakeholder	Comment/Issue	Response
	<ul style="list-style-type: none"> The process of resettlement and compensation was explained by EEC but the project has been suspended for a long period and the community was not informed as to when the project would commence. One of the project affected community member, who had signed the forms is deceased, what is the next step for the family members? What will happen since the person who signed the forms is deceased, will the process start over? 	<ul style="list-style-type: none"> Are there any family members of the deceased community member? The signed documents will be reviewed to assess on the agreements made and also this will be discussed with the affected family and agreed upon a family representative who will take the position to represent and sign the required documents. The compensation process is still ongoing and even bank details have not been provided so nothing has been finalized.
	<ul style="list-style-type: none"> Will the compensation amount be augmented since there has been change in costs of living adjustment? Since the initial compensation amount was calculated, the cost of living has increased and we feel that the compensation should be adjusted to reflect this change. 	<ul style="list-style-type: none"> MTK as the specialist in the resettlement and compensation process, they will advise EEC on the way forward so discussions will be held to deliberate and once agreements have been made then the community will be informed.
	<ul style="list-style-type: none"> Since the dam will have some negative impacts (i.e. increase in crocodiles & hippos) which will affect the whole community, is there any compensation for the community apart for the PAPs due those impacts? 	<ul style="list-style-type: none"> MTK is responsible for recommending and compiling mitigation measures for any negative impacts. Construction of a foot bridge was discussed as part of the project benefit for community development. Also EEC has a department for community development (CSI) where the community can formally apply for assistance for their community. The department will review and possibly approve the application, but

Stakeholder	Comment/Issue	Response
		<p>they do not offer monetary assistance but small community projects such as school roofing amongst others.</p>
	<ul style="list-style-type: none"> The bridge discussed was supposed to accommodate vehicles but a foot bridge is being mentioned, what changed? 	<ul style="list-style-type: none"> Initial discussion and agreement was construction of a foot bridge. A large bridge construction would require collaboration with the Ministry of Public Works and Transport (MoPWT).
	<ul style="list-style-type: none"> What is stopping the collaboration with MoPTW because they might be willing to assist? 	<ul style="list-style-type: none"> EEC has worked with MoPTW on many occasions for example EEC constructed a power station at Qomintaba and had requested them for assistance in upgrading (applying probase) a 12km road in the area and they were not able to assist at the time due to financial constraints.
	<ul style="list-style-type: none"> There are numerous stakeholders for example there are approximately 20 farmers from Ngwempisi who are willing to contribute monetary contributions to upgrade the bridge which in turn would also benefit government. All stakeholders should be engaged. It would also help considerably if ECC consulted with MoPWT to inquire on the quote or cost of upgrading the bridge so that the community is well informed on how much they could contribute. If EEC is flexible and willing the community will contribute but with cost implications disclosed to them. 	<ul style="list-style-type: none"> Comment was noted by Mr Makhanya.

Stakeholder	Comment/Issue	Response
	<ul style="list-style-type: none"> MoPTW has an obligation and duty to upgrade the bridge so this might be an opportunity for them to take advantage of the project. 	
	<ul style="list-style-type: none"> There is security personnel OSSU who patrol the road, so constructing the bridge would ensure safety of the community because they would be able to travel to Gebeni and be able to patrol the area. The bridge will also connect the community area with Emfishane which is close to the Manzini city and that would provide opportunity for Gebeni farmers to easily transport their goods to potential customers. ECC usually mounts a do not swim signs in most dams but even though swimming is not allowed, the dam will have different depths. In areas which are not too deep people could swim and do boating. Could ECC allow boating in the dam areas which could be allowed and not too deep. 	<ul style="list-style-type: none"> The boating issue should have been mentioned during the community consultation which was part of the ESIA study so that MTK could have been able to advice on that. There is a team which manages the infrastructure and they have their own regulations so once the dam is constructed it is handed over to them.
	<ul style="list-style-type: none"> ECC should have kept in touch with the community overtime because communication was lost between ECC and the community. The community had thought that ECC would never return to continue with the project. Lower Maguduza was mentioned by the King on the radio broadcast to be constructed which gave 	<ul style="list-style-type: none"> Noted

Stakeholder	Comment/Issue	Response
	<p>the community some hope but nothing happened. In the same year another project in Lavumisa was started but there was no mention of Lower Maguduza project therefore the community started growing profit making crops on the project area which is now their livelihood.</p>	
	<ul style="list-style-type: none"> There are complaints and grudges because there was no communication and the project was on hold for long period. Many things have changed in the community. Compensation forms were signed by the PAPs assuming that the process would be done immediately but the project was put on hold. Another issue is that the community garden project has had changes in management, some of the members have deceased but the agreement signed is still the same. Also ownership of the Kunene flats has changed to Bander. Discussions will have to be made since there have been changes to deliberate on way forward. 	<ul style="list-style-type: none"> Noted
	<ul style="list-style-type: none"> Mr Makhanya stated that previously EEC worked with Mr Manana who was the community liaison officer (CLO), since the project is continuing a CLO will be required, uncertain if he will be the one to continue or another person will be selected. The purpose of CLO is to connect EEC with the community and register any 	<ul style="list-style-type: none"> Noted

Stakeholder	Comment/Issue	Response
	<p>concerns or issues the community might have so that they are resolved quickly. Allowance will be provided to the CLO but that does not mean the person is hired.</p>	
	<ul style="list-style-type: none"> It is not clear on how the cooperation or partnership between EEC and Mr Manana was alienated because Mr Manana had reported to the community leadership that there was an issue. 	<ul style="list-style-type: none"> The matter will be discussed and then brought back formally. The community members were reminded that CLO will be required during the continuation of the project. Discussions will be held to deliberate on way forward regarding issue at hand.

4.7.2 Introduction of Contractor to Communities

Table 11: Issues and concerns discussed during contractor introductory meetings with the communities

Community	Issue/comment	Response
Nhlambeni Community (11 January 2025)	<ul style="list-style-type: none"> A comment was raised that there are grievances from the Ngonini Community affected by the project stated that they were not properly engaged by EEC about the project and they were not compensated accordingly 	<ul style="list-style-type: none"> Mr. Makhanya stated that the comment has been noted and EEC will look into resolving those issues.
	<ul style="list-style-type: none"> What is a CLO? 	<ul style="list-style-type: none"> A CLO is a Community Liaison Officer. They are a person in the community who is engaged and who acts as a liaison between the contractor and the community. They work to build trust and maintain good relations between the two parties.

Community	Issue/comment	Response
	<ul style="list-style-type: none"> A request was raised that Inyatsi should not overlook the community in the hiring of high-skilled labour. Stating that there are people in the community that are educated, can do the job and are in need of jobs. 	<ul style="list-style-type: none"> Mr. Dube once again stated that the project is a major project and risks will be limited. He stated that 80% of skilled labour will be brought in by Inyatsi Construction and the remaining 20% will be from the communities. He stated that all those hired will be tested on their capacity to do the job to limit risks.
	<ul style="list-style-type: none"> There was a request to Inyatsi requesting them to be fair regarding employment opportunities for the people of Nhlambeni. It was requested that there be fair and even distribution of employment opportunities in all the affected communities. 	<ul style="list-style-type: none"> This comment was noted.
	<ul style="list-style-type: none"> What will the Nhlambeni community benefit from the project? Benefits such as water. 	<ul style="list-style-type: none"> There was a request that there be a track record of agreed “benefits”, may they be written down and be official for the protection of the community and accountability of the contractor. Mr. Dube highlighted that they as Inyatsi are given a strict budget to complete all the work for the project. He stated that upon project completion, Inyatsi would look into using any remaining funds to assist the community.
	<ul style="list-style-type: none"> Where will people go to apply for employment? 	<ul style="list-style-type: none"> Mr. Dube highlighted that they are currently establishing their site offices inside the premises of Swazi Milk (Pty) Ltd. He stated that applications will be received at the site offices, and he stated that the community will be informed as to when they can apply.
	<ul style="list-style-type: none"> Inyatsi Construction was requested to take accountability for issues pertaining the project and 	<ul style="list-style-type: none"> Mr. Dube requested the meeting to be cognizant and not compare this project to previous projects. He requested that they

Community	Issue/comment	Response
	<p>must not be like previous projects. There should be no empty promises whereby community members are promised employment. A previous project was cited whereby community members were told to open bank accounts in order to be considered for employment and ended up not getting employment after spending money opening bank accounts. There are grievances about money lost due to this process.</p>	<p>should not be affected by the sins of previous projects. He also stated that Inyatsi Construction has processes and procedures in place to when considering the employment of people and this includes having a bank account so there is paper trail as to where money goes</p>
	<ul style="list-style-type: none"> There was a comment raised about unfair loadshedding in the Nhlambeni community. It was stated that wherever there are power outages, it is always the Nhlambeni community that is most affected by loadshedding. EEC was requested to resolve this concern. 	<ul style="list-style-type: none"> The community was requested to distinguish between loadshedding and loss of power. It was stated that there is currently no loadshedding that is being implemented in the country and what they are experiencing is loss of power. The community was requested to take accountability in sometimes being the cause of loss power due to overloading the transformer in that area. It was stated that usually in most rural homesteads, several households connect to one transformer and during peak hours when electricity is used the most, loss of power occurs due to overload of the grid.
	<ul style="list-style-type: none"> May the project and Inyatsi Construction practise gender equality by also hiring women as they can also do the job. 	<ul style="list-style-type: none"> This comment was noted.
<p>Ndlinilembi Community (18 January 2025)</p>	<ul style="list-style-type: none"> What will the size of the dam be? 	<ul style="list-style-type: none"> The dam will be comparable in dimensions to the Luphohlo dam. This is dictated by the size of the dam wall, which will be

Community	Issue/comment	Response
		<p>relatively small for this structure. The purpose of the dam is to store enough water to generate electricity.</p>
	<ul style="list-style-type: none"> How many employment opportunities will be provided for the community? 	<ul style="list-style-type: none"> The number will be +/-100 workers from the affected communities, as the workload will experience fluctuations between peak and low periods.
	<ul style="list-style-type: none"> What is the duration of employment for the workers? 	<ul style="list-style-type: none"> The construction project is scheduled to last for a duration of two years (24 months). Initially, the workforce will be kept to a minimum, with the number of workers gradually increasing over time. A significant number of employees will not be recruited at the outset; rather, hiring will occur as the workload intensifies during peak periods.
	<ul style="list-style-type: none"> Inyatsi has been observed operating in various areas; however, Inyatsi engages subcontractors who do not adequately pay the workers. Will the construction of the project be carried out by Inyatsi or by subcontractors? 	<ul style="list-style-type: none"> In this project, Inyatsi will serve as the primary contractor, while subcontractors will also be engaged to create opportunities for small construction firms to grow and thrive, in accordance with the country's stipulated percentage for large projects. The subcontractors will be allocated a maximum of 30% of the work, with the remaining 70% designated for the main contractor, Inyatsi.
	<ul style="list-style-type: none"> Will transportation or camps be made available? 	<ul style="list-style-type: none"> The majority of the activities will take place at the Swazi Mills farm, with the community primarily impacted by the pedestrian bridges and the dam. Inyatsi will provide a bus service from the Bethany Inyatsi offices to the project sites, and workers are required to wait along the bus corridor. To prevent social complications, no camps will be established

Community	Issue/comment	Response
	<ul style="list-style-type: none"> The observations regarding the EEC project have been unsatisfactory. Despite being a large corporation, EEC has not contributed to community development initiatives, such as road enhancements, in areas where it operates. When a community is in poor condition, it is essential to enhance their quality of life during the implementation of a project. 	<ul style="list-style-type: none"> EEC - EEC acknowledges the comment and will offer assistance wherever feasible. Inyatsi – According to the project contract, both EEC and the financiers have requested the construction of two footbridges. For other road projects within the community, it is necessary for Indlunkhulu to draft a letter bearing the official stamp to confirm its origin from Indlunkhulu. Should profits be generated, Inyatsi will reinvest in the community through the department responsible for community initiatives. Additionally, the community often requests the contractor to undertake minor tasks, such as road repairs or construction, which can be extensive. Therefore, it is essential to prepare this letter to ensure that Inyatsi can adequately plan for the required work.
	<ul style="list-style-type: none"> How many CLOs will be appointed? For instance, in Nhlambeni, Ngonini oversees two groups under a single Chief. This arrangement may lead to the CLO selecting candidates from only one segment of the community when Inyatsi seeks recommendations, as the CLO may lack comprehensive knowledge of the entire community. 	<ul style="list-style-type: none"> Inyatsi is urged to maintain a comprehensive understanding of the communities in which they operate. Each Umphakatsi should have a Community Liaison Officer (CLO) in place. In the Umphakatsi that will be impacted, it is essential to ensure a balanced hiring process that includes a fair representation of workers from various communities, rather than favouring a single group. The CLOs will play a crucial role in monitoring and ensuring equitable hiring practices. Furthermore, the CLO serves as the intermediary between the community (Umphakatsi) and the contractor. It is often requested that the CLO collaborates with the Umphakatsi that appointed

Community	Issue/comment	Response
		<p>them, rather than working independently. The CLO is dispatched by Inyatsi to solicit a specific number of workers, and since the Umphakatsi is familiar with the community and its members, they provide a list of trusted individuals for consideration. Inyatsi then hires from this list, with the CLO facilitating communication rather than making hiring decisions.</p>
	<ul style="list-style-type: none"> If recruitment is conducted through the CLO, does this imply that community members will be prohibited from visiting the site office gate to make personal requests for employment? 	<ul style="list-style-type: none"> Community members will not be permitted to make personal job inquiries at the site offices, which are situated on a private farm that raises cattle. Due to the presence of livestock, there are specific regulations and protocols in place to prevent the introduction of germs or diseases that could jeopardize the health of the cattle and the quality of milk production. Furthermore, the CLO serves as the intermediary between the community (Umphakatsi) and the contractor. It is often requested that the CLO collaborates with the Umphakatsi that appointed them, rather than working independently. The CLO is dispatched by Inyatsi to solicit a specific number of workers, and since the Umphakatsi is familiar with the community and its members, they provide a list of trusted individuals for consideration. Inyatsi then hires from this list, with the CLO facilitating communication.
	<ul style="list-style-type: none"> Once the project is implemented, if someone upstream wants to abstract water from the canal, will that person be allowed to abstract water from the canal? 	<ul style="list-style-type: none"> The dam is projected to be operational in two years, at which point we will review any requests or inquiries and respond accordingly. The water sourced from the river is a national resource, and the EEC is responsible for ensuring that water is

Community	Issue/comment	Response
		<p>returned to the river after use. There have been incidents of injuries related to the canals, which have led to complications for the EEC regarding canal management. The EEC does not prohibit communities from accessing water from the canals; however, safety measures are implemented to restrict access to these areas to protect the community, as there have been tragic incidents involving drownings. As previously mentioned, there is still time to assess the feedback and respond appropriately. The canal will be constructed to redirect river water, with provisions in place to ensure that the water is ultimately returned to the river, thereby maintaining community access.</p> <ul style="list-style-type: none"> For the members who were already engaged in water abstraction, arrangements have been established to allow them to continue this practice. However, for new applications, you are already familiar with the water abstraction process and will need to adhere to that procedure, with partial assistance provided by the EEC. The existing community gardens will be permitted to continue their usage.
	<ul style="list-style-type: none"> If a member of the community owns a business that wishes to provide services, such as catering options for employees, what steps should one take to facilitate this? 	<ul style="list-style-type: none"> Regarding catering, it is common for the workers to establish a committee or group that will research and select a catering company to provide meals. Typically, these catering companies present samples of their food, after which the workers choose the preferred provider. In terms of subcontractors, there is a specific process for hiring. If a subcontractor expresses interest in being

Community	Issue/comment	Response
	<ul style="list-style-type: none"> When is the commencement date for the construction activities? This is also a significant concern regarding recruitment. 	<p>engaged, they must go through a tendering process, followed by evaluations, leading to the selection of the chosen candidate.</p> <ul style="list-style-type: none"> The site handover occurred on January 7, 2025, and construction activities at the Nhlambeni site have already commenced. Recruitment efforts have also initiated; however, the only outstanding matter was the notification to Indlunkhulu regarding the project. Once Indlunkhulu introduces the appointed CLO, we will proceed with utilizing him/her in accordance with the outlined process.

5 Impact analysis, Mitigation and management

A ESMP has been compiled to provide recommendations and guidelines for Human rights monitoring throughout the construction and immediate post-construction phase of the proposed project. This is done to ensure that all relevant factors are considered, and to ensure Human Rights centred development. Key findings and recommended actions at each stage of the project are reflected in the tables below.

5.1 Pre-Construction Phase

5.1.1 Environmental Training and Awareness

Table 12: Training and Awareness Requirements

ACTIONS AND CONTROLS	MONITORING FREQUENCY	RESPONSIBILITY
PRE-CONSTRUCTION PHASE		
1. Construction staff must be adequately educated /trained about the environmental aspects, environmental best practices and also the conditions of the CMP. 2. The induction training will, as a minimum, include the following: <ul style="list-style-type: none"> ▪ What is meant by “Environment”; ▪ Why the environment needs to be protected and conserved; ▪ How construction activities can impact on the environment; ▪ What can be done to mitigate against such impacts; ▪ Awareness of emergency and spills response provisions; ▪ Social responsibility during the construction; ▪ The importance of conformance with all environmental policies and specifications; ▪ The environmental impacts, actual or potential, of their work activities; ▪ The environmental benefits of improved personal performance; and ▪ Their roles and responsibilities in achieving conformance with the environmental policy and procedures, including emergency preparedness and response requirements. 	Once off and with every induction of new employees.	ESO & CONTRACTOR
3. The Contractor and its employees must acknowledge their understanding of the CMP and environmental responsibilities by signing an induction attendance record. 4. The Contractor is expected to have “tool box” talks. These talks must be in accordance with the construction activities and environmental risks and trends associated with the project. Proof of these talks must be kept on site.	Weekly	ESO & CONTRACTOR

5.2 Construction Phase

5.2.1 Construction of Site Camp and Offices

Table 13: Mitigation of Impacts Associated with Construction of Site and Offices

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Disturbance to local residents.	Location of camp close to sensitive neighbouring land-uses.	<ol style="list-style-type: none"> 1. Site camp location and the layout plans must be approved by the ESO and/or SHEQ officer. 2. The location will take into account the proximity of local residents and any high intensity lighting should be shielded and prevent glare onto neighbouring properties. 3. The Contractor will get consent from the Employee/Owner's Engineer and the landowner prior to erecting the construction camp infrastructure. 4. Activities will be minimal during the night and weekends. 	<p>Once off</p> <p>Once off</p> <p>Once off</p> <p>Weekly</p>	CONTRACTOR
Storm water discharge to neighbouring properties.	Poor management of storm water and drainage at the construction site.	<ol style="list-style-type: none"> 1. The Contractor will attend to storm water drainage of the site to avoid standing water and / or sheet erosion by installing diversion berms where needed. 	Weekly and after every major storm	CONTRACTOR, ESO & ECO
Unauthorised access and theft at the site camp.	Unauthorised access of the public to the site.	<ol style="list-style-type: none"> 1. The site camp must be secure at all times to prevent unauthorised access at the construction site. 2. The Contractor must ensure that construction trenches and material storage areas are sealed off with barrier tape/fences. 3. There must be security at the entrance gate controlling access to the site camp. 	Daily	CONTRACTOR
Site contamination/pollution.	Improper storage and use of equipment and hazardous substances	<ol style="list-style-type: none"> 1. Hazardous substances will be kept in a secured storage area which is bunded and/or has an impermeable floor layer that is able to contain spillages. 	<p>Daily</p> <p>Daily</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p>

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
	(chemicals, paint and cement).	<ol style="list-style-type: none"> The hazardous substance storage area needs to be locked at all times. Spill kits will be kept at the hazardous substance storage facility to treat and manage any spills immediately. All contaminated soil/clothing/material must be disposed of at a licensed or approved hazardous landfill site. The hazardous material storage facility will be sited away from stormwater drainage lines. Clear warning signage must be placed at all storage areas containing hazardous substances / materials. Staff dealing with these materials / substances must be aware of their potential hazard and follow the appropriate safety measures. 	<p>Daily</p> <p>Daily</p> <p>Daily</p> <p>Monthly</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p>
	Poor management of wastewater from ablution facilities and cooking area.	<ol style="list-style-type: none"> The wastewater from the workers camp will be channelled to a septic tank/soak away system, which will be maintained regularly to avoid overflows of wastewater to the environment due to clogging of pipes and other factors. 	<p>Daily</p>	<p>CONTRACTOR & ESO</p>
Air and soil pollution and site contamination.	Improper handling of cement, asphalt, fuel, paint and other chemicals on site.	<ol style="list-style-type: none"> Cement or asphalt mixing must take place on impermeable/bunded surfaces. Use of ready mixed cement/asphalt will require the establishment by the Contractor of proper truck and equipment wash bays with an impermeable floor layer. Used paint tins/brushes must be disposed of as hazardous waste and paint washings collected in receptacles for later safe disposal. Paint must not be washed into stormwater drains on site. 	<p>Daily</p> <p>Weekly</p> <p>Daily</p>	<p>CONTRACTOR</p> <p>CONTRACTOR</p> <p>CONTRACTOR</p>

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Increased fire incidents	Lack of safe cooking and heating facilities.	<ol style="list-style-type: none"> The contractor will ensure that workers have a cooking area with electricity supply and encourage them not to use open fires and other unsafe cooking methods. There will be adequate firefighting equipment on site, properly serviced, which employees will be made aware of. 	<p>Electricity installation once off, use of open fires to be monitored daily</p> <p>Weekly</p>	<p>CONTRACTOR</p> <p>CONTRACTOR & ESO</p>
Increased HIV/AIDS Prevalence	Low awareness on HIV AIDS, unsafe social interactions with the host community.	<ol style="list-style-type: none"> There will be Periodic education on HIV/AIDS Prevention. Contractor will have a wellness policy which will also cover HIV Issues. IEC Materials will be made available to workers. Work schedule to be set to allow for workers to be able to visit families. Condoms will be made available for use by workers. 	<p>Monthly</p> <p>Once off</p> <p>Weekly</p> <p>Once off</p>	<p>CONTRACTOR</p> <p>CONTRACTOR</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR</p>
Increased waterborne diseases	Lack of portable water and ablution facilities in workers' camp.	<ol style="list-style-type: none"> The contractor will ensure that there is always adequate supply of portable water to workers at the construction camp and site office. 	Daily	CONTRACTOR & ESO

5.2.2 Construction Traffic and Access

Table 14: Mitigation of Impacts Associated with Construction Traffic and Access

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Disturbance to the local community.	Construction vehicles.	<ol style="list-style-type: none"> Timing and access of construction material delivery vehicles to site should be strictly controlled to avoid the disturbances to the local community. Appropriate traffic signage must be erected on site by the Contractor to alert other road users to construction activities. 	Daily	CONTRACTOR
			Daily	CONTRACTOR
			Daily	CONTRACTOR

		3. The Contractor should strategically position the site entry and exit points to ensure that there is minimum impact to the traffic flow on neighbouring streets.	Daily	CONTRACTOR
		4. A low speed limit shall be adhered to on site and on access roads. Attention must be given to road safety, especially near schools or other sensitive locations.	Daily	CONTRACTOR
		5. Construction vehicles must utilise existing roads and not create new unauthorised access roads.	Daily	CONTRACTOR
		6. The Contractor must ensure that local access roads are not damaged by construction vehicles. If damage does occur, it needs to be attended to immediately to avoid long term problems.	Daily	CONTRACTOR
		7. Lighting used to facilitate construction at night should not disturb neighbouring residents. Downlighting should be employed where practicable.	Daily	CONTRACTOR

5.2.3 Air Quality Management

The following table indicates the impacts that could result from construction activities and proposed mitigation measures.

Table 15: Mitigation of Air Quality Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Generation of dust.	Removal of vegetation on site, vehicles driving at a high speed and construction activities which result in dust generation.	1. Excavations and other site clearing activities shall only be undertaken during agreed working times to avoid the spreading of sand and dust into neighbouring areas.	Daily	CONTRACTOR & ESO
		2. The Contractor shall be responsible for dust control (water spraying) on site to ensure no nuisance is caused to the neighbouring landowners and the local community.	Daily	CONTRACTOR & ESO
		3. A speed of 40km/h shall not be exceeded on site.	Daily	CONTRACTOR & ESO
		4. The Contractor must attend to complaints resulting from dust generation immediately.	Daily	CONTRACTOR & ESO
		5. The Contractor should commence with rehabilitation of exposed soil surfaces as soon as practically possible after completion of earthworks.	Daily	CONTRACTOR & ESO
		6. All material resulting from excavation must be put in a location protected from wind and regularly sprinkled with water until reused for fill. Dust suppression measures must be implemented where required.	Daily	CONTRACTOR & ESO
	Crushing and screening of rock aggregates on site	1. These activities will be protected from wind by erecting a barrier around the screening area.	Barrier erection Once off; but inspection on its condition daily	CONTRACTOR & ESO
Air emissions.	Un-serviced construction vehicles/plant and the servicing of vehicles/plant on site.	1. The Contractor must regularly service the construction vehicles and machinery used on site at an approved off-site service station.	Weekly	CONTRACTOR
		2. Checks must be performed on concrete / asphalt mixing plants to	Daily	CONTRACTOR

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		<p>ensure minimal air quality and odour impacts; mitigation measures shall be introduced where necessary.</p> <p>3. The Contractor shall have operational fire-fighting equipment available on site at all times. The level of fire fighting equipment required shall be assessed and evaluated through a typical risk assessment process.</p> <p>4. Open fires will be prohibited on site.</p>	<p>Daily</p> <p>Daily</p>	<p>CONTRACTOR</p> <p>CONTRACTOR</p>

5.2.4 Land/soil Management

Table 16: Mitigation of Soil Management Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Soil erosion.	Wind, heavy rains, soil exposure and inappropriate storage and management of topsoil, poor stormwater management.	<p>1. Topsoil removed from the construction footprint should be stored separately for usage during the rehabilitation process.</p> <p>2. The topsoil stockpiles shall be stored, shaped and sited in a such a way that they do not interfere with the flow of storm water and cause soil erosion.</p> <p>3. Stockpiles of topsoil shall not exceed a height of 2 metres.</p> <p>4. Areas not forming part of the construction footprint should not be disturbed by the Contractor.</p> <p>5. Soils compacted during construction work should be deeply ripped to loosen compacted layers</p>	<p>Every time topsoil removal is done</p> <p>Every time topsoil removal is done</p> <p>Every time topsoil removal is done</p> <p>Daily</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p>

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		<p>and be re-graded to even levels and then re-vegetated upon completion of construction activities.</p> <p>6. Wind screening and storm water control will be undertaken to prevent soil loss from the site by installation of diversion berms, sandbags and silt traps, where necessary.</p> <p>7. The use of geotextile cover is particularly important where there is a slope, or where the soils are likely to remain exposed for any period of time while new vegetation establishes itself.</p> <p>8. Site clearance must be undertaken in a phase manner to minimise the amount of exposed soil.</p>	<p>Once off</p> <p>Daily</p> <p>Weekly</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR AND ESO</p>
	Improper storage of construction materials (bricks, sand, cement, etc.).	1. A designated area should be established for the storage of construction materials.	Once off	CONTRACTOR & ESO
Air pollution.	Movement of construction vehicles.	<p>1. The movement of construction vehicles on site must be controlled to minimise the generation of dust.</p> <p>2. Dust suppression measures must be implemented by the Contractor along the access roads and quarries used to source construction material.</p>	<p>Daily</p> <p>Daily</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p>
Soil contamination.	The use of hazardous substances (cement, asphalt, paint and other chemicals etc.).	<p>1. Cement/asphalt mixing and the use of other chemicals must take place on impermeable and bunded surfaces.</p> <p>2. Cement/asphalt trucks washed in a designated preferably off-site washing area.</p>	<p>Daily</p> <p>Daily</p> <p>Daily</p>	<p>CONTRACTOR</p> <p>CONTRACTOR</p> <p>CONTRACTOR</p>

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		3. Any accidental spillages that occur on site must be contained, treated with absorbents and disposed of at a hazardous landfill site. 4. Construction vehicles and machinery will be serviced at a nearby service station or a designated area approved by the Owner's Engineer and the ECO.	Daily	CONTRACTOR

5.2.5 Ground and Surface Water Management

Table 17: Mitigation of Ground and Surface Water Management Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Water contamination.	Improper storage and use of hazardous substances including cement, asphalt, paints and other chemicals.	1. All hazardous materials shall be placed in bunded containment areas on sealed floor surfaces and 100m away from any water bodies.	Daily	CONTRACTOR & ESO
		2. The Contractor must remove contaminated wastewater resulting from construction activities and dispose of it at a licensed commercial wastewater treatment facility.	Daily	CONTRACTOR & ESO
		3. Temporary cut-off drains and berms must be erected in order to capture surplus storm water and promote infiltration.	Daily	CONTRACTOR & ESO
		4. Used oil on site will either be collected by a licensed waste oil collector or disposed of to a licensed processing or disposal facility.	Daily	CONTRACTOR & ESO
		5. Manual cement/asphalt mixing activities must take place in a bunded/lined area to prevent runoff from the area entering the storm water drainage system.	Daily	CONTRACTOR & ESO

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		<p>6. A designated, properly designed impermeable washing area for vehicle and construction equipment must be established by the Contractor if this cannot be undertaken off-site.</p> <p>7. Any accidental spillages that occur on site must be contained and remediated as soon as possible.</p> <p>8. On site ablution facilities need to be serviced regularly and placed in a bunded area.</p> <p>9. Storm water needs to be managed especially during the wet season. It should not be allowed to drain into trenches nor should it be allowed to flood areas where construction materials or equipment are stored.</p> <p>10. A storm water management plan must be prepared by the Contractor and approved by the ESO, ECO and /or the Owner's Engineer.</p> <p>11. Water pumped from any excavations/trenches must be safely disposed of and be free from silt and sediments. This can be achieved by installing silt traps (e.g. sandbags) to separate silt and water.</p>	<p>Daily</p> <p>Daily</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p> <p>CONTRACTOR & ESO</p>
Water wastage.	Misuse of water.	<p>1. The Contractor need to provide safe drinking water to its employees.</p> <p>2. Construction workers need to use water responsibly and avoid unnecessary wastage. Taps should not be left open and leaking taps should be repaired immediately.</p>	<p>Daily</p> <p>Daily</p>	<p>CONTRACTOR</p> <p>CONTRACTOR</p>

5.2.6 Flora and Fauna Management

Table 18: Mitigation of Flora and Fauna Water Management Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Loss of flora and fauna	The construction of the weir will result in environmental pollution which can have significant impacts on the river and its fauna.	1. Construction materials will be kept away from the river as much as possible. All waste products should be removed from the construction site. Blasting should only be carried out where absolutely necessary.	Daily	CONTRACTOR & ESO
	Loss of nesting sites for birds and certain species of small mammals due to bushclearing	2. The larger trees within the project development area will not be unnecessarily removed or cleared. This will allow some persistence of the local bird community within the designated area	Daily	CONTRACTOR & ESO
	Poaching	1. Gratuitous killing of animals (especially birds, snakes and frogs) should be prevented. 2. All workers should be made aware of the implications of the Game Act.	Daily	CONTRACTOR & ESO
Soil erosion and water pollution and dust emissions. Disturbance of fauna and their habitats.	Improper removal and management of vegetation. Faunal trapping and killing	1. Construction workers must be confined to only work in areas under construction.	Daily	CONTRACTOR & ESO
		2. Vegetation must be removed in a phased manner to minimise soil exposure.	Daily	CONTRACTOR & ESO
		3. No disturbance to vegetation should take place where such vegetation does not interfere with construction activities.	Daily	CONTRACTOR & ESO
		4. Fauna Management	Daily	CONTRACTOR & ESO
		5. The Contractor must ensure that no faunal species are disturbed, trapped, hunted or killed, particularly for consumption purposes during the construction phase.	Daily	CONTRACTOR & ESO

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		6. Should species be harmed accidentally, the incident needs to be reported to ESO and necessary measures must be implemented for the disposal and cleaning of the site. 7. All necessary mitigation measures must be implemented to minimise the disturbance of fauna on site.		
Water siltation and increased turbidity.	Improper management of soil and water resources. Disturbance of aquatic species habitat.	1. Manual clearing of the water way and canals need to be carried to remove unwanted substances and species in order to minimise clogging and allow free movement of aquatic species. 2. It is also recommended that structures such as trees should not be removed from the river bank close to the weir site in order to provide underwater habitats and cover for colonising fauna.	Daily	CONTRACTOR & ESO

5.2.7 Waste Management

Table 19: Mitigation of Waste Management Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Ground and water pollution and aesthetic impact.	Insufficient waste bins, incorrect labelling of waste bins, mixing of general, construction rubble and hazardous waste and storage of waste on site.	1. Sufficient waste bins shall be provided on site to encourage waste separation and for recycling purposes, if such systems are available. 2. Refuse bins shall be placed at strategic positions to ensure that litter does not accumulate on site.	Daily Daily Daily Development of plan once off;	CONTRACTOR & ESO CONTRACTOR & ESO

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		<p>3. Construction workers will be encouraged to use the waste bins provided at all times, and littering shall be prohibited.</p> <p>4. A site waste management Plan will be developed and implemented</p> <p>5. Skip waste containers may be kept on site to dispose of construction rubble. Containers must be removed when they fill up to maintain a clean site.</p> <p>6. Waste will be disposed of at a facility which is approved by the Eswatini Environment Authority (Matsapha Landfill is the closest).</p> <p>7. If the waste disposal facility does not issue a record of the waste disposed, it is recommended that the Contractor keep a record at the construction site of the volumes of waste taken to the facility.</p> <p>8. Burning of waste on site or in waste containers is prohibited.</p> <p>9. Hazardous waste may not be stored on site in excess of a 90 calendar day period.</p> <p>10. The Contractor shall install mobile chemical toilets on the site and place them in a bunded area, or shall install water bourn toilet facilities served by septic tanks or conservancy tanks in accordance with the requirements of the local authorities.</p> <p>11. The Contractor needs to establish handwashing facilities and soap to maintain good hygiene on site.</p> <p>12. Staff shall be sensitised to use these facilities at all times.</p> <p>13. Ablution facilities shall be within 250m from workplaces.</p>	<p>implementation to be monitored daily</p> <p>Daily</p> <p>Daily</p> <p>Daily</p> <p>Daily</p> <p>Daily</p> <p>Once-off</p> <p>Daily</p>	<p>CONTRACTOR & ESO</p> <p>CONTRACTOR</p>

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		14. The Contractor should arrange that the toilets are serviced regularly by the service provider.		

5.2.8 Noise and Vibration Management

Table 20: Noise and Vibration Mitigation Measures

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Generation of excess noise and vibration.	Construction activities and operation of noisy equipment and accommodation camp, blasting during construction of tunnel.	1. The noise levels must be kept within acceptable limits. The noise and sound generated shall adhere to Eswatini noise standard specifications and take account of nearby residents when work is performed at night.	Daily	CONTRACTOR & ESO
		2. No sirens and hooters may be utilised except where required or in emergencies.	Daily	CONTRACTOR & ESO
		3. The playing of loud music at the accommodation camp will be prohibited.	Daily	CONTRACTOR & ESO
		4. The Contractor should keep the local community informed of unavoidable noisy activities and their duration.	Daily	CONTRACTOR & ESO
		5. The contractor will put in place noise monitoring equipment.	Daily	CONTRACTOR & ESO
		6. The contractor shall ensure that all vehicles and equipment are in good working condition.	Daily	CONTRACTOR & ESO

5.2.9 Health and Safety Measures

Table 21: Health and Safety Mitigation Measures

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Injuries, fire hazards and illness and road safety.	Workers smoking, making fire, not wearing appropriate PPE, lack of environmental training, exposed trenches and incorrect storage of construction equipment.	Worker and community safety		
		1. A health and safety plan shall be drawn up by the Contractor to ensure the safety of workers.	Daily	CONTRACTOR & ESO/SHEQO
		2. Contractors shall ensure that all equipment is maintained in a safe operating condition.	Daily	CONTRACTOR & ESO/SHEQO
		3. A record of health and safety incidents shall be kept on site.	Daily	CONTRACTOR & ESO/SHEQO
		4. Any health and safety incidents shall be reported to the Employer immediately.	Daily	CONTRACTOR & ESO/SHEQO
		5. First aid facilities shall be available on site at all times.	Daily	CONTRACTOR & ESO/SHEQO
		6. Workers have the right to refuse work in unsafe conditions.	Daily	CONTRACTOR & ESO/SHEQO
		7. Material stockpiles or stacks shall be stable and well secured to avoid collapse and possible injury to site workers.	Daily	CONTRACTOR & ESO/SHEQO
		Protective gear	Daily	CONTRACTOR & ESO/SHEQO
		1. Personal Protective Equipment (PPE) shall be made available to all workers and use of PPE shall be made compulsory.	Daily	CONTRACTOR & ESO/SHEQO
		2. The minimum PPE includes: <ul style="list-style-type: none"> ▪ Hard hat ▪ Safety shoes ▪ Cotton overalls ▪ Gloves 	Daily	CONTRACTOR & ESO/SHEQO
		1. Certain operations may require additional PPE such as: <ul style="list-style-type: none"> ▪ Earplugs ▪ Eye protection glasses ▪ Face masks ▪ Reflective Vests etc. 	Daily	CONTRACTOR & ESO/SHEQO
		2. No person is to enter the construction site without the necessary PPE.	Daily	CONTRACTOR & ESO/SHEQO
		Site safety	Daily	CONTRACTOR & ESO/SHEQO
1. The site shall remain fenced at all times.	Daily	CONTRACTOR & ESO/SHEQO		

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		2. Potentially hazardous areas such as trenches are to be demarcated and clearly marked. 3. Adequate warning signs of hazardous working areas shall be erected in suitable locations. 4. Emergency numbers for the local police, clinic/hospital and fire department shall be placed in a prominent area. 5. Firefighting equipment shall be placed in prominent positions across the site where it is easily accessible. This includes fire extinguishers, a fire blanket as well as a water tank. Workers need to be trained on how to operate the firefighting equipment. 6. All flammable substances shall be stored in safe areas which do not pose an ignition risk. 7. Smoking may only be conducted in demarcated areas as agreed upon by the SHE officer and the Contractor. 8. A speed limit of 40km/h shall be adhered to by all construction vehicles and machinery.	Daily Daily Daily	CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO
Road Accidents	Unsafe crossings and routes	9. Alternative routes should be found at scheduled times of the day that would help keep the roads free when school children are returning home, allowing children mobility without being hampered by large trucks utilising the same road. 10. A policy on Contractor Health and Safety for the duration of their work on site, must apply, and be monitored. In addition, a Contractor's Code of Conduct (especially in terms of specific practical community concerns on which agreement may be reached), should be applied for the duration of the construction. Regular information sharing discussions with the Contractors must be pursued, giving farm labour residents an opportunity to voice	Daily Daily	CONTRACTOR & ESO/SHEQO CONTRACTOR & ESO/SHEQO

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		concerns and grievances throughout the duration of project construction. The establishment of a Resident's forum to provide institutional support to such an activity, is recommended. In addition, it is vitally important that a formal grievance management system be put in place (and should remain throughout the life of the hydropower plant).		

5.2.10 Social Environment

Table 22: Mitigation of Social Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Disruption and disturbances to the local community; use of local labour.	Negligence by the Contractor in terms of community relations and use of local labour and skills transfer.	1. The Contractor must be courteous at all times when dealing with the neighbouring community and their rights need to be respected at all times.	Daily	CONTRACTOR & ESO
		2. A complaints register should be kept on site and the Contractor must attend to any public complaints as soon as possible.	Daily	CONTRACTOR & ESO
		3. The Contractor must make available, via notices and signboards, their contact details where complaints and issues can be lodged.	Daily	CONTRACTOR & ESO
		4. No interruptions other than those negotiated shall be allowed to any essential services.	Daily	CONTRACTOR & ESO
		5. Damage to infrastructure shall not be tolerated and any damage shall be rectified immediately by the Contractor.	Once off	CONTRACTOR
		6. A record of all damages and remedial actions shall be kept on site.	Monthly	CONTRACTOR

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		7. Where possible, unskilled job opportunities should be afforded to local community members in order to transfer employment skills. 8. The Contractor will engage with the community leaders to assist with the recruitment of the local unskilled labour.		CONTRACTOR
Infection from HIV/AIDS and other sicknesses	Interaction of construction workers with the local community.	1. The Contractor must coordinate and implement an awareness campaign on HIV and Aids and other potential sicknesses. 2. The campaign must aim at sensitising the employees to potential health risks and regulating behaviour.	Weekly Weekly	CONTRACTOR CONTRACTOR
Alcohol and drug abuse.	Use of alcohol and drugs on the construction site.	1. The consumption of alcohol and drugs by employees must be prohibited on site and in the construction camp.	Daily	CONTRACTOR
Theft	Lack of security and fencing on site	1. The Contractor will employ security and prevent unauthorised access to the site. 2. The police have already recommended increased patrols and crime knowledge sharing in communities. While it is envisaged that the development site will be subject to controlled access, petty crimes may still persist. Management measures dealing with transferring and sharing information about criminal activities with the local community is recommended. The establishment of a Resident's Forum may be a vehicle that could help achieve collaboration.	Daily Daily	CONTRACTOR CONTRACTOR
Loss of productivity of the farm at Peebles Block	Potential loss of cultivated areas due to canal / penstock routing and backwater effects	1. Prior to the commencement of construction the SEC, IPP and Landowner must agree on the canal and penstock routing and the extent of any backwater impacts on farming operations at Peebles Block and must reach agreement on any associated rental / compensation. Minutes of the meeting held on 04 March 2016 between SEC, IPP and Landowner.	Once Off	IPP/SEC

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
	Restricted access (to people) over portions of the farm	2. This impact cannot be mitigated. It is unavoidable that land access to people will be hindered. However the impact on people is not likely to be high as no movement occurs for the sake of maintaining familial relationships. The probability is that the routing will occur over land that is non arable and without human activity. The establishment of a formal grievance management system would assist in identifying challenges that require a resolution.	Once Off	IPP/SEC
Displacement of agricultural practices on Swazi Nation Land	Potential loss of cultivated areas due to weir embankment and backwater effects	1. Prior to the commencement of construction the SEC and Land-user must agree on the extent of any weir embankment and backwater impacts on SNL and must reach agreement on any associated rental / compensation.	Once Off	SEC
Increase in entrepreneurial and job opportunities	Sourcing of equipment and machinery locally	1. This specifically relates to the area of Manzini as opposed to Sidvokodvo. There must be a concerted effort made to draw up a procurement plan that will give first preference to local suppliers. There would be no change in the impact significance after mitigation as it is expected that Procurement strategies would initially be aimed at local procurement.	Every time Procurement is done	CONTRACTOR

5.2.11 Cultural and Heritage Artefacts

Table 23: Mitigation of Cultural and Heritage Impacts

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Disruption and disturbances of Heritage Artefacts	Construction activities such as digging.	1. If heritage artefacts are uncovered on site, work in the immediate vicinity must be stopped immediately.	Daily	CONTRACTOR & ESO
		2. The Contractor must take reasonable precautions to prevent any person from removing or damaging any such artefacts and must immediately, upon discovery thereof, inform the ESO of such discovery whom in turn must contact the Eswatini National Trust Commission (ENTC).	Daily	CONTRACTOR & ESO
		3. Work may only resume once clearance is given in writing by the ENTC.	When the need arises	CONTRACTOR & ESO

5.2.12 Borrowing and spoiling of materials

Table 24: Borrowing and Spoiling Impact Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Loss of Aesthetics value	Operation of borrow pit and spoil sites	1. The contractor will put barriers around borrow pits.	Daily	CONTRACTOR & ESO
		2. Excavated materials will be used as fill in suitable areas as agreed with the Owner's Engineer.	Daily	CONTRACTOR & ESO
		3. There will be proper rehabilitation of borrow pit and spoil sites.	Daily	CONTRACTOR & ESO
		4. Topsoil will be stockpiled separately for use during rehabilitation.	Daily	CONTRACTOR & ESO
		5. Rehabilitation plans for all borrow and spoil sites will be put in place.	Daily	CONTRACTOR & ESO
		6. Use of excavated materials preferably as fill in same area.	Once off	CONTRACTOR
		7. The contractor shall prioritise the identification of existing borrow pits before considering greenfield.	Daily	CONTRACTOR
		8. Spoil sites will be identified taking into account environmentally sensitive sites	Daily	CONTRACTOR

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
		(wetlands, rivers) and must be pre-agreed with the Owner's Engineer..		

5.3 Operational Phase

5.3.1 Hydrology

Table 25: Hydrology Impact Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Decrease in water supply for downstream users and aquatic life	Excess Abstraction of water during low flow periods	1. In winter when the available flow in the river is limited, the scheme will operate intermittently.	Daily	MLH/EEC
		2. There will be sufficient balancing storage to maintain the generation flows during periods when the incoming flow drops below the generation flow, or generation must be curtailed accordingly.	Daily	MLH/EEC
		3. An allowance of 10% of the total flow has been allowed for environmental flows.	Daily	MLH/EEC

5.3.2 Surface and Ground water

Table 26: Surface and Ground water Impacts Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Water pollution	Siltation	1. The storage will be operated on a philosophy of "impounding the clear and discharging the turbid". Special care will be taken in the design of the weir and intake structure to reduce the impact of siltation.	Daily	MLH/EEC
		2. To minimise the effect of sedimentation, dredging will be carried out if required. The dredged silt will be disposed of in designated positions as agreed with the Owner's Engineer, suitably chosen so as to avoid	Daily	MLH/EEC

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
		turbidity problems in the river and blocking of the river flow downstream.		

5.3.3 Soils

Table 27: Soil Management Impact Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
CONSTRUCTION PHASE				
Soil erosion	Storm water runoff, water release back to the river	1. A site drainage and storm water management plan will be put in place.	Once off	CONTRACTOR

5.3.4 Flora and Fauna

Table 28: Flora and Fauna Impact Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Change in micro vertebrates in the river.	Periodic 'flooding events'	1. It shall be ensured that when the storage pond is full water will be allowed to flow into the river.	Daily	EEC/MLH
		2. Monitoring of fish and macro-invertebrate communities will be carried out to determine the impact of these flooding events and devise further mitigation where necessary.	Quarterly	EEC/MLH
		3. The project proponent will ensure that any water released into the river is at a similar temperature and turbidity and does not contain pollutants.	Daily	EEC/MLH
	Regulation of water flow, modification of the river channels as well as the physical	1. For the stretch of the river between the weir and the point at which the water is released back into the river, it shall be ensured that sufficient water remains in the river to ensure	Quarterly	EEC/MLH

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
	confinement of water.	maintenance of the existing flora and flora communities, as required by the ESIA Certificate.		
Re-establishment of indigenous vegetation	Removal of alien invasive species.	<p>This is a positive impact which will be enhanced by the following measures:</p> <ol style="list-style-type: none"> The proponent will remove any alien invasive species within, and in the immediate vicinity of, the site of the proposed development. During rehabilitation, the planting of indigenous species will be done. 	<p>Monthly</p> <p>Every time rehabilitation is done</p>	<p>SEC/MLH</p> <p>SEC/MLH</p>

5.3.5 Social Environment

Table 29: Social Impacts Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Loss of Aesthetic value and other disturbances	Potential visual impact of the hydro power plant on residents and patrons of the Nkonyeni Lodge and Golf Estate	<ol style="list-style-type: none"> Visual screens such as high growth indigenous trees will be planted around the plant, if the visual impact needs mitigation. Contrary to the negative impact, it is also possible that people will enjoy the visual display of such a feat of construction, including the regular rainbows that will be seen. Schools may organise day tours and tourist may pass just to see the spectacle. SEC could promote the hydropower scheme by offering day guided tours, perhaps even combining it with a nature hike. This in itself has the potential to increase job opportunities at the Pebbles Block farm. 	<p>Once off</p> <p>Daily</p>	<p>EEC/MLH</p> <p>EEC/MLH</p>
	Potential visual impact of the hydropower plant on the general public			
	Noise	<ol style="list-style-type: none"> This project must ensure the use of noise avoidance mechanisms such as housing engines within brick walls and using machinery/ engines with low noise emissions. 	Daily	EEC/MLH

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Positive Economic growth	Increase in Eswatini's power producing independence	<ol style="list-style-type: none"> 1. Extreme positive impact significance after mitigation. 2. With the completion of the hydro power plant and its operation at maximum, Eswatini will contribute an additional circa 20% to its in-country generated electricity supply, thus decreasing its reliance on neighbouring countries and increasing its independence. Its own electricity production could also mean a financial saving for the country. 	Daily	EEC/MLH

5.3.6 Community Health and Safety

Table 30: Community Health and Safety Mitigation Measure

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Loss of access to facilities for communities	Backwater from weir causing an increase to water levels in the river	<ol style="list-style-type: none"> 1. Two foot bridges will be constructed in order to connect the original path, one over the Usuthu River, and another over Badzinile stream. The bridge over Usuthu River will be approximately 162m long, while the smaller bridge over Badzinile stream will be approximately 21m long. 	Once off	EEC/MLH
		<ol style="list-style-type: none"> 2. The bridge over the Usuthu River will necessitate seven piers in addition to the abutments whereas the bridge over the Badzinile stream will span from abutment to abutment. 		EEC/MLH
Drowning incidents	Increase of water levels in the river due to weir	<ol style="list-style-type: none"> 1. Bridges will be placed at a level such that the design flood can pass underneath, with the result that under usual conditions, the impounded water resulting from the 	Daily	EEC/MLH

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
		<p>LMHPS weir will be about 6.5m below the bridge deck.</p> <p>2. At the abutments the bridges will be about 1m above existing ground level with an earth embankment providing access and egress for pedestrian traffic.</p>		
Exposure to dangerous water animals like crocodiles and hippos	Rising water levels due to weir	1. A screen will be put in place to limit community exposure to wildlife. Inspection of the condition of the screens will be done monthly	Once off	MLH/EEC

5.3.7 Cumulative Impacts

Table 31: Cumulative Impacts Mitigation

IMPACT	SOURCE	MITIGATION MEASURE	MONITORING ACTIONS & FREQUENCY	RESPONSIBILITY FOR IMPLEMENTATION
OPERATIONAL PHASE				
Cumulative Impacts due to other projects to be implemented in the same farm	Implementation of Eswatini Rail Link Project	1. The proposed new railway line to be established within the property may have the same project implementation schedule, which will cause a multiple impact on the farm. The EEC, MLH and Eswatini railway will engage on schedule and approaches that will cause minimal disturbance on the property.	Quarterly	EEC/MLH

5.4 Post Construction Phase /Rehabilitation Phase

Table 32: Post Construction Impacts Mitigation

MITIGATION MEASURE	FREQUENCY / MONITORING REQUIREMENTS	RESPONSIBILITY
POST CONSTRUCTION		
<ol style="list-style-type: none"> 1. The construction site and camp is to be checked for spills of substances such as oil, paint, etc., and these shall be cleaned up. 2. The concrete / asphalt plant must be decommissioned and the site cleaned with all wastes to be disposed of hazardous waste. 3. The Contractor must arrange for the decommissioning of all temporary services, e.g. chemical toilets. 4. All areas where temporary services were installed are to be rehabilitated to the satisfaction of the ESO, ECO and Owner's Engineer. 5. Surfaces are to be checked for waste products from activities such as concreting/asphalting and cleared accordingly. 6. All surfaces hardened due to construction activities are to be ripped and concrete/asphalt material removed. 7. Topsoil must be replaced back to disturbed surfaces and used to re-vegetate disturbed areas. 8. All construction waste and rubble is to be removed from the site and disposed of to the municipal or recognised/approved landfill site. 9. The site is to be cleared of all litter. 10. Fences, barriers and demarcations associated with the construction footprint are to be removed from the site. 11. All residual stockpiles must be removed to spoil or spread on site. 12. The Contractor must repair any damage that the construction works has caused to neighbouring properties, specifically, but not limited to, damage caused by poor storm water management. 13. Quarries used for sourcing construction material must be rehabilitated accordingly. <p>Monitoring of new buildings and infrastructure</p> <ol style="list-style-type: none"> 1. The Contractor must monitor the operations of the hydropower station and associated infrastructure, as well as the landscaped and rehabilitated area for defects for a period agreed to contractually (e.g. 12 months). 2. Should defects be found, they need to be rectified immediately by the Contractor. 	<p>Final inspection to be done once off</p>	<p>ESO, ECO & Owner's Engineer</p>

6 RESOURCES AND RESPONSIBILITIES

An adequate budget will be availed for effective stakeholder engagement which includes consultations, monitoring and reporting. The management, coordination and implementation of the SEP and its integral tasks will be the responsibility of dedicated team members within project team. The roles and responsibilities of the organizations are presented below.

6.1 Project Team

The project team will consist of the Borrower, the supervising (Owner’s) Engineer, and the Contractor

Table 33 below shows the roles and responsibilities of the different functions of the project team.

Table 33: Roles and Responsibilities of the project team.

Stakeholder	Position	Role	Responsibilities
Eswatini Electricity Company (EEC)	Project Manager / Owner’s Representative	Project Oversight	<ul style="list-style-type: none"> Act as Project Proponent on behalf of Government. Oversee development and implementation of the LMHPS. Ensure compliance with national legislation and licence conditions. Coordinate with regulators, financiers, and stakeholders. Monitor IPP performance under the BOOT agreement.
	Environmental & Social Focal Point	Safeguards Oversight	<ul style="list-style-type: none"> Oversee compliance with environmental and social safeguard requirements. Review ESMP, monitoring reports, and corrective action plans. Liaise with EEA and financiers on E&S compliance matters. Ensure major incidents are reported timeously.

Independent Power Producer (IPP): Middle Lusutfu Hydropower (Pty) Ltd	Project Director	Project Development & Delivery	<ul style="list-style-type: none"> • Overall responsibility for design, construction, operation, and maintenance of the LMHPS during the BOOT period. • Ensure project implementation complies with contractual, environmental, and social requirements. • Provide adequate resources for safeguards implementation.
	Environmental Manager	Environmental Management	<ul style="list-style-type: none"> • Develop and implement the Contractor / Operator ESMP and associated plans. • Monitor environmental performance during construction and operation. • Implement mitigation measures and corrective actions. • Prepare and submit environmental monitoring reports to the Engineer and EEC.
	Social Manager	Social Management	<ul style="list-style-type: none"> • Implement social mitigation measures in line with the ESMP and SEP. • Manage stakeholder engagement activities. • Operate and maintain the grievance redress mechanism. • Monitor community health, safety, and socioeconomic impacts. • Prepare social monitoring reports.

	Occupational Health & Safety Manager	OHS Management	<ul style="list-style-type: none"> • Develop and implement the project OHS Management Plan. • Ensure compliance with national OHS legislation and international best practice. • Conduct safety training, inspections, and incident investigations. • Report OHS performance and incidents to the Engineer and EEC.
Owner's Engineer / Engineer	Team Leader / Project Manager	Contract & Construction Supervision	<ul style="list-style-type: none"> • Supervise design and construction activities on behalf of EEC. • Ensure works are delivered in accordance with specifications, schedule, and quality requirements. • Enforce environmental, social, and OHS compliance by the IPP and contractors. • Coordinate site inspections and reporting.
	Environmental Compliance Officer	Environmental Monitoring	<ul style="list-style-type: none"> • Conduct routine environmental inspections. • Verify implementation of ESMP mitigation measures. • Compile monthly environmental compliance reports. • Track corrective actions arising from audits, EEA inspections.
	Social Compliance Officer	Social Monitoring	<ul style="list-style-type: none"> • Monitor implementation of the SEP and grievance mechanism.

			<ul style="list-style-type: none"> • Verify compliance with social safeguard commitments. • Compile monthly social compliance reports. • Monitor community health and safety issues.
	OHS Compliance Officer	Health & Safety Monitoring	<ul style="list-style-type: none"> • Monitor site OHS compliance. • Review incident records and corrective actions. • Conduct safety audits and inspections. • Compile monthly OHS compliance reports.
Construction Contractor(s)	Contractor Project Manager	Construction Execution	<ul style="list-style-type: none"> • Execute construction works in accordance with contract requirements. • Ensure effective implementation of environmental, social, and OHS measures. • Allocate adequate resources for safeguards compliance.
	Environmental Officer	Site Environmental Control	<ul style="list-style-type: none"> • Implement site-specific C-ESMPs. • Monitor daily environmental performance. • Report incidents and non-compliances. • Maintain environmental records and registers.
	Social Officer	Site Social Management	<ul style="list-style-type: none"> • Support stakeholder engagement activities. • Implement grievance redress procedures at site level. • Monitor workforce–community interactions. • Report social issues and incidents.

	OHS Officer	Site Health & Safety	<ul style="list-style-type: none"> • Implement the site OHS plan. • Conduct toolbox talks and safety inductions. • Monitor PPE use and safe work practices. • Report and investigate incidents.
	Safety Representatives & Emergency Personnel	Site Safety Support	<ul style="list-style-type: none"> • Enforce safety measures within assigned work areas. • Provide first aid, firefighting, and emergency response. • Conduct inspections and maintain safety records.
Eswatini Environment Authority (EEA)	Regulator	Environmental Regulation	<ul style="list-style-type: none"> • Review and approve the ESIA and ESMP. • Issue the Environmental Compliance Certificate (ECC). • Conduct inspections and compliance audits. • Enforce environmental legislation.
Affected Communities & Traditional Authorities	Chiefs / Indvunas / Community Representatives	Community Participation	<ul style="list-style-type: none"> • Participate in stakeholder engagement processes. • Raise concerns through the grievance mechanism. • Support implementation of agreed mitigation and compensation measures.

6.2 Responsibilities of suppliers

All contractors, subcontractors, and suppliers engaged in the Lower Maguduza Hydropower Scheme (LMHPS) form part of the project’s business relationships and are therefore within the project’s area of influence as defined under the UN Guiding Principles on Business and Human Rights and IFC Performance Standard 1.

The main contractor shall hold primary responsibility for ensuring that all subcontractors and suppliers engaged under its contracts comply with the commitments, mitigation measures, and management requirements set out in this Human Rights Impact Assessment (HRIA), as well as the project’s Environmental and Social Management

Plans (ESMPs), Stakeholder Engagement Plan (SEP), Labour Management Procedures, Codes of Conduct, and Grievance Redress Mechanism (GRM).

In this regard, the main contractor shall be obliged to exercise its leverage over subcontractors and suppliers to prevent, mitigate, and address adverse human rights impacts that are caused by, contributed to, or directly linked to their activities. This obligation shall be embedded within contractual agreements and enforced throughout the project lifecycle.

Specifically, the main contractor shall be responsible for ensuring that all subcontractors and suppliers:

- Respect the human rights of all workers, community members, and other rights-holders, including vulnerable and marginalised groups;
- Comply with all applicable labour, occupational health and safety, and public health legislation of the Kingdom of Eswatini, as well as relevant international standards, including IFC Performance Standards 1, 2 and 4;
- Prohibit child labour, forced labour, discrimination, harassment, intimidation, and any form of gender-based violence, including sexual exploitation, abuse, and harassment (GBV/SEA/SH);
- Implement and enforce worker Codes of Conduct consistent with the project’s Human Rights policies;
- Provide workers with safe and healthy working conditions, appropriate personal protective equipment, and access to training and awareness programmes;
- Ensure that workers and affected communities are informed of and able to access the project Grievance Redress Mechanism without fear of retaliation.

The main contractor shall further be responsible for monitoring and supervising the human rights performance of subcontractors and suppliers through regular site inspections, audits, toolbox talks, and reporting mechanisms. Any instances of non-compliance shall be promptly addressed through corrective actions, capacity-building measures, or disciplinary procedures, as appropriate.

Failure by subcontractors or suppliers to comply with the project’s Human Rights requirements shall be treated as a non-compliance of the main contractor, and may result in contractual penalties, suspension of activities, or termination of contracts. Through these measures, the project ensures that human rights due diligence is effectively cascaded throughout the supply chain and embedded in all project-related activities.

6.2.1 Approvals

All human rights related policy documents require approval by the most senior management of all project implementing partners including EEC, Contractor and suppliers. Below is the template for approvals. These will need to be update periodically to remain effective to the current and emerging impacts.

Table 34: Approval and Sign-off for the Human Rights Management Plan

Stage	Name / Signature	Position	Date
Plan Compiled by			___ / ___ / 25

Contractor			
Plan Reviewed by Human Rights Monitor			___ / ___ / 25
Plan Approved by EEC Management			___ / ___ / 25

6.3 SEP Budget

It is expected that the cost of implementation of the SEP are part of the project costs.

Table 35: Estimated SEP Budget

Stakeholder Engagement Activity	Assumptions / Considerations	Quantity	Unit	Unit Cost (E)	Total (E)
Introductory meetings with affected communities (SEP / HRIA / ESIA / CMP)	Three communities; two meetings per community (Inner Council and general community). Refreshments and transport for 10 EEC project team members.	1	No.	7,500	7,500
Disclosure of CMP and GRM	Two meetings per community (total of six meetings). Refreshments and transport for 10 project team members.	1	No.	4,500	4,500
RAP disclosure – initial group meetings	Group meetings with affected households: one for Swazi Nation Land (SNL) and one for Title Deed Land (TDL) per community.	6	No.	1,500	9,000
RAP disclosure – description of affected activities (group meetings)	Group meetings explaining project impacts and affected assets across three communities.	6	No.	1,500	9,000
Disclosure of compensation framework (group meetings)	Two group meetings per community (SNL and TDL).	6	No.	1,500	9,000
Announcement of cut-off date	Disclosure through Umphakatsi structures, local media, and written notifications to PAPs across all three communities.	1	No.	2,000	2,000
Presentation of dossiers and compensation rates	Individual meetings with PAPs across three communities.	3	No.	1,500	4,500
Compensation agreement negotiations	Individual meetings to finalise compensation agreements with PAPs.	5	No.	1,000	5,000
Disclosure of final RAP to PAPs	Group disclosure meetings following incorporation of feedback (one per community).	3	No.	1,500	4,500

Engagement with Other Interested Parties (PA Systems)	Meetings with regulators, utilities, NGOs, and other interested parties.	10	No.	4,000	40,000
RAP contract signing	Meetings for signing of compensation agreements. Refreshments and transport for EEC project team (3 members).	3	No.	1,000	3,000
Independent Human Rights Auditor(s)	Independent HRIA audit; multidisciplinary specialists; estimated duration 6–8 weeks.	1	Lump Sum	—	75,000
TOTAL					175,000

7 ACCESS TO EFFECTIVE REMEDIES

7.1 GRIEVANCE REDRESS MECHANISM

A Grievance is a claim raised by an individual or group whose livelihood, health and safety, cultural norms and heritage are considered to have been adversely affected (harmed) by a project activity which, if not addressed effectively, may pose a risk to EEC operations and the livelihood, well-being or quality of life of the claimant(s). As a result, the objective of the project Grievance Redress Mechanisms (GRM) is to provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow EEC through the Lower Maguduza Hydropower Scheme project team to respond to and manage grievances filed by affected people and other parties. Grievances may emerge from directed and indirect interventions related to the project activities. Grievances may arise among affected households and communities on a variety of issues ranging from compensation rates and eligibility criteria to the relocation sites and the quality of services available at those sites, where applicable. Sexual Exploitation/Harassment (SEA/SH) related grievances are also expected to arise from the project implementation activities particularly during construction phase. Resettlement related grievances are addressed in accordance with the Resettlement Action Plan (RAP). This GRM has been adapted from the Grievance process for the Network Reinforcement and Access Project (NRAP).

7.2 Scope of GRM

The GRM process is anchored from the World Bank requirements and the EEC Communication Policy. According to the World Bank's SS10 paras 26-28 section on Grievance Redress, the Borrower will respond to concerns and grievances of project-affected parties related to the environmental and social performance of the project in a timely manner. For this purpose, the Borrower will propose and implement a grievance mechanism to receive and facilitate resolution of such concerns and grievances. The EEC Communication Policy facilitates that the EEC not only engages stakeholders, customers and communities the company works in but also provide means of them to report, feedback and raise concerns.

7.2.1 Responsibilities

The GRM is the responsibility of the Social Development Officer. The project manager and EEC principals or any appointed independent party will intervene during the grievance process to approve the complaint/grievance resolution report including the proposed solutions.

7.2.2 Objectives of the GRM

The establishment of the Lower Maguduza Hydropower Scheme project has established a GRM as part of the accessible and inclusive means to raise issues and grievances and allow EEC through the project team to respond to and manage grievances filed by affected people and other parties. The key objectives of the GRM are therefore to:

- Record, categorize and prioritize the grievances. Settle the grievances via consultation with all stakeholders (and inform those stakeholders of the solutions)

- Forward any unresolved cases to the relevant authority.

7.2.3 Confidentiality

The personal details of Complainants shall only be made available to those involved in the resolution of the grievance in question and must follow policies related to protecting personal data when handling the grievance. The EEC will accept, log, and seek to address grievances contained in anonymous grievance forms, but, due to the anonymous source of the grievance, will not be able to respond directly to the Complainant.

7.2.4 Design of the GRM

The design of the GRM takes into consideration the views of the affected community expressed during the resettlement planning process. It also takes into consideration the location of the intended, their language use and level of education. It is for this reason that simple forms written in Siswati will be placed within the community with the main logbook placed at Constituency level. The guiding principles in the GRM design include the following:

- Fairness - Grievances are treated confidentially, assessed impartially, and handled transparently.
- Objectiveness and independence - The GM operates independently of all interested parties in order to guarantee fair, objective, and impartial treatment to each case. GM officials have adequate means and powers to investigate grievances (e.g., interview witnesses, access records).
- Simplicity and accessibility - Procedures to file grievances and seek action are simple enough that project beneficiaries can easily understand them. Project beneficiaries have a range of contact options including, at a minimum, a telephone number (preferably toll-free), an e-mail address, and a postal address. The GM is accessible to all stakeholders, irrespective of the remoteness of the area they live in, the language they speak, and their level of education or income. The GM does not use complex processes that create confusion or anxiety (such as only accepting grievances on official-looking standard forms or through grievance boxes in government offices).
- Responsiveness and efficiency - The GM is designed to be responsive to the needs of all complainants. Accordingly, officials handling grievances are trained to take effective action upon, and respond quickly to, grievances and suggestions.
- Speed and proportionality - All grievances, simple or complex, are addressed and resolved as quickly as possible. The action taken on the grievance or suggestion is swift, decisive, and constructive.
- Participatory and social inclusion - A wide range of project-affected people— community members, members of vulnerable groups, project implementers, civil society, and the media—are encouraged to bring grievances and comments to the attention of project authorities. Special attention is given to ensure that poor people and marginalized groups, including those with special needs, are able to access the GM.

7.2.5 Guiding procedure of the GRM

The project team is required to disclose and explain to affected persons, communities' stakeholders the procedure for complaints filing as early as possible and on a regular basis throughout the project cycle. As alluded in the principles above, the GRM shall be available at no cost, and it is important that it be easily accessible, with special attention paid to accessibility for disadvantaged and vulnerable individuals or groups. Additionally, the project team will ensure that the grievance procedure is accessible, adequately registered and tracked, and resolution is affirmed within one month of registration as outlines in the figure below.

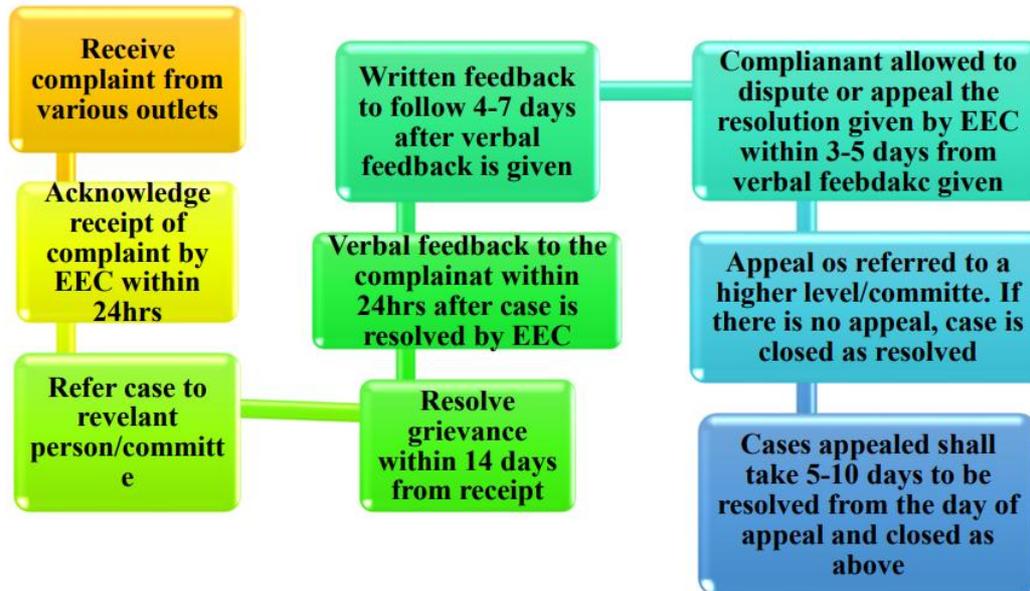


Figure 17: GRM process

The following procedures shall be followed while filing and processing complaints through the above-described the establishment of the Lower Maguduza Hydropower Scheme project GRM process in the above figure.

- i) **Grievance Register Book:** A grievance register book shall be opened and kept in the office of resident engineer, EEC Community Liaison officer and at the Inkhundla. All grievances shall be registered when and upon the receipt of complaints from the aggrieved. The book shall have: i) case reference number, ii) the aggrieved name, iii) the date the case is received, iv) the date the case is resolved and, v) a remarks column.
- ii) **Responsibility for Registering Complainants:** The Resident Engineer, CLO, and Indvuna yeNkhundla in the project area shall register in the Grievance Register Book all complaints received. At the project level the Social Standards team shall be responsible for receiving and filing all the Lower Maguduza Hydropower Scheme project cases whilst GBV cases shall be handled with the assistance of a service provider who shall keep a SEA/SH separate register as well.
- iii) **Case Receipt:** Within 24 hours of receiving complaints, the monitoring consultant, EEC social team shall issue a letter to the aggrieved acknowledging receipt of the case and providing a date when the case will be reviewed as well as the venue. vi) SEA/SH SEA/SH grievances will not be documented in the

public accessible book. However, a SEA/SH action Plan has been prepared to manage related risks, and a specialized NGO is working in partnership with EEC which is service provider engaged for awareness on the already developed system that captures SEA/SH and HIV/AIDS related issues. It is attached in this section below on GBV/SEA/SH GRM. v) PAPs: All PAPs who have issues with their compensation and assistances are required to submit written complaints to the appropriate level of GRMs or directly verbally report to CLO's and nearest EEC depot/service centre. vi) Recording: Mediation meetings and outcomes will be recorded and kept in safe places at each of the Grievance Redress Mechanism Committee's locations.

7.2.6 Potential issues and complaint filing

Grievances are expected to arise:

- a. Directly from affected property owners and will be handled as follows;
 - The aggrieved person will first report his/her case to the Project Area Community Liaison Officer working in the communities affected by the project.
 - The Community Liaison Officer will report the grievance to the Project Engineer/ Resident Engineer who will address the grievance and feedback the Community Liaison Officer within five working days. For those cases requiring the attention of the project team shall be reported directly to the social standards team at EEC.
- b. Grievances may also be reported through EEC's 24-hour Call Centre, which uses a system called CRM that allows for the tracking of issues as they are scaled up and resolved allowing for feedback to the complainant.
 - When the complaint is raised, it is registered and a job card to resolve the complaint is issued. Once the complaint is resolved, the job card is signed off.
 - Through the office of the Social Standards team, the EEC will systematically track grievances lodged related to Project implementation and, as part of the tracking system, keep a separate record of any grievances that may arise as part of the resettlement and compensation process. It shall ensure that grievances are sorted at the point of registration is to specifically address the special concerns which relate to compensation, relocation or livelihood restoration in a timely manner.
 - Compensation grievances shall follow the developed RAP GRM process in the disclosed RAP. The points of access for grievances will be shared as part of consultation with all PAPs and through broader community consultation.
 - The Community Liaison Officers and the Social Officer will serve as the points of registration for any resettlement related complaints and oversee the process to reach resolutions. The issue can be logged as an anonymous grievance. Below is a no exhaustive list of possible

access points for grievances of the project (these shall be updated as and when new outlets are identified):

Table 36: Grievances Outlet/access points

No.	Grievance Outlet/Access point
01	Verbal through reporting to CLO's
02	Verbal through reporting to Bucopho/ Umphakatsi representative
03	Verbal through reporting to Social Specialist/project team members and EEC support staff
04	EEC Mbabane headquarters and service centres
05	Constituencies Log Book (Inkhundla)
06	EEC website – www.eec.co.sz
07	EEC Contact Centre -
08	Through letters submitted to the Ministry of Natural Resources
10	Through letters submitted to the EEC, Head offices, Mbabane P.O. Box 258
11	Eswatini Environment Authority (EEA)
12	Eswatini Energy Regulatory Authority (ESERA)

7.2.7 Closure of Grievance

A grievance will be considered resolved or closed when a resolution satisfactory to both parties has been reached and after corrective measures have been successfully implemented. Once the solution is under implementation or has been implemented to the satisfaction of the complainant, an outcome/close out form shall be signed by both parties, stating that the grievance has been closed. The grievance will then be archived in the project grievance database (excel spreadsheet).

7.3 Grievance Redress Mechanism Structures

As the GRM works within existing legal and cultural frameworks, it is recognized that the in the Project's GRM, grievances will be handled following a hierarchical structure of dealing with all complaints received. The entry level structure is the Community Level GRM, this level is followed the Project Level GRM where cases not solved at first entry are taken to this level. EEC level and regional level structures are also taken into consideration before reaching the final structure in the hierarchy which is the National Level GRM structure which shall have all cases resolved at this level as the final structure in resolving grievances related to the project. The GRM grievance resolution process involves the following main steps at each level:

1. Receipt of grievances and acknowledgement
2. Screening for standing and/or acceptance or rejection

3. Processing of complaint
4. Grievance resolution approach
5. Closure of grievances;
6. Handling of grievance records and documentation.

For handling grievances relating to sexual exploitation and abuse (SEA) and sexual harassment (SH), please refer to SEA/SH action plan prepared in below sections.

7.3.1 Community Level Grievance

Redressal Mechanism It is recognised that local communities have existing traditional and cultural grievance redress mechanisms. This level therefore refers to complaints/ grievances that can be resolved directly between the site and the complainant through traditional and cultural grievance redress mechanisms. During the project implementation, it is expected that some disputes at the community level may be resolved using these mechanisms, without the involvement of EEC, contractor(s), and or Government representatives at local and national level.

7.3.1.1 Grievance handling Process under this level:

- CLO provide first receiving platform for issues,
- When a grievance is logged to the CLO's, they must acknowledge the complaint within 24 hours of receipt of the complaint.
- The Social Standards team within EEC must acknowledge the complaint within 24 hours of receipt of from CLO.
- If the complaint is logged anonymously, it will be automatically referred to the head of the Project Unit which is the Project Coordinator who shall be assisted by social team to review the complaint.
- If not anonymous, upon registration, the Social Standards team will refer the issue for resolution or mediation to relevant officials.
- The SS team shall sort feedback from the relevant officials handling the cases assigned to them within 5-7 days so to update the Complainant of the status
- If a hearing through the GRM Committees (explained below) at this level is required, the grievant shall be notified at this stage
- All cases should be resolved within 10 – 14 days at this level
- At community level the project will establish a GRM committee and shall have the following members:
 - The Supervising Consultant, Chair
 - The Resident Engineer, Member

- The Contractor, Member
- EEC Community Liaison Officer
- EEC Social Standards Officer and the Assistant Social Standards Officer
- PAPs' representative

7.3.2 Community Level GRM Access Points:

The points of access for grievances shall include and not limited to the following:

- i. GRM Form available in both local languages – placed with Bucopho, Tinkhundla centre, and project CLO's.
- ii. Mbabane EEC headquarters walk-ins
- iii. EEC Toll free line – 8009000
- iv. EEC website – www.eec.co.sz
- v. CLOs on the ground

7.3.2.1 Project level Grievance Redressal Mechanism

This refers to the process that needs to be followed when the grievance cannot be resolved directly between the site and the complainant, requiring a review by a Grievance Committee. Issues that are not resolved at Community level GRC shall be handled at the project level by the project team. A project level GRM is a harmonised system for all project related disputes and resolutions. Its objective is to bring the GRM closer to all stakeholders at various levels of project implementation. Issues that are not resolved at first instance dispute/grievances resolution shall be escalated to the next level. All effort shall be made to resolve issues at the first instance.

7.3.3 Grievance handling Process

- The SS team shall refer cases not solved at first instance within 24hrs after evidence that case resolution is not being reached at first instance.
- The project level GRM committee shall resolve or reach a decision five (5) days from the date the complaint is received.
- The chairperson of the GRM committee shall communicate the committee's decision to the aggrieved PAPs in writing and keep record of all decisions related to each case
- SS shall keep records of all the writings and update records related to the case accordingly.

7.3.4 Project Level GRM Committee

The Project level GRM shall comprise of the following members:

- Project Manager – Chair
- Social Standards Officer
- Assistant Social Standards Officer
- Environmental Officer
- Safety Officer
- EEC Legal/Compliance Officer
- EEC Marketing Manager

7.3.4.1 EEC Level Grievance Redressal Mechanism

A committee of knowledgeable persons, experience in the subject area, shall be constituted at the EEC to handle complaints that have not been addressed or resolved at the Project level in the impact area or the project area corridor.

7.3.5 Grievance handling process

The EEC level Grievance redress committee shall do everything possible to hear and determine the issues within five (5) days from the date the case has been transferred to it from the GRC.

The chairperson of the GRC shall communicate the outcome to the aggrieved PAP(s) in writing.

The GRC shall maintain a record of all outcomes related to each case.

If the complaint is not resolved to the satisfaction of the aggrieved party, it will then be referred by the EEC Secretary to the National Steering Committee (NSC).

The NSC will be required to address the concern within 1 month. 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 Ombudsman's Office, and the Ombudsman's decision will be final. It is rare for a complaint to be unresolved after the Ombudsman's decision, or for the Ministry of Natural Resources and Energy (MNRE) resolution, to be taken further. However, on both cases, the very last resort will be at the Courts, for any related disputes.

7.3.6 EEC national level GRM committee

The EEC level GRM shall be comprised of the following members:

- General Manager, Chairperson
- Legal Compliance Officer, Member
- Social Standards Office team, Members
- Safety, Health, Environmental, Risk and Quality (SHERQ) Manager

- PAPs Representative

7.3.6.1 Judiciary Level Grievance Redressal Mechanism

The project level 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 Eswatini.

7.3.7 Grievance handling Process

- This level of GRM will involve the corporation engaging or seeking National Judiciary systems to solve the case depending on the type of case.
- For instance, if it is employment related, the Industrial court shall be involved, and all judgement shall now depend on the courts and shall be deemed final after following all court procedures.
- The time frame of resolving cases at this level are now beyond the control of the EEC hence cases timeframe shall be deemed by the Court engaged.
- Decisions taken here shall be deemed final decision for all cases of the project at country level.

7.3.8 GRM Forms

The CLOs are then tasked with recording all GRM forms submitted to the Log book for candid handling of grievances, however for those recorded anonymously shall be submitted straight to the Social Specialist..

7.3.9 Grievance Training

In an effort to make the projects GRM process and procedure to be effective and efficient as Possible, the World Bank team through The Social Development team shall be requested from time to time to deliver a participatory GRM Assessment and Training Workshop which aims the following:

- i. Raise the Project team's awareness on the importance of GRMs in development projects;
- ii. Build Project team's capacity in grievance management, resolution and feedback as well as reporting and analysis of grievances to improve project implementation; during the GRM assessments.

Furthermore, The Social Standards team within EEC shall also ensure that all those involved in the project GRM are trained on the procedure including the Committee members.

7.3.10 Awareness raising and GRM Disclosure

Part of an effective GRM is an adequately disclosed process and procedure to all Stakeholders of the project at all levels. A file of all minutes, reports and registers will be kept to ensure all GRM awareness raising activities are well documented.

7.3.11 Treatment of Gender Based Violence (GBV) Including Sexual Exploitation/Abuse/Harassment (SEA/SH) Cases

The EEC will identify and engage a service provider to assist with handling all GBV related cases of the project. Not only will the service provider assist with GBV cases, but they also assist with prevention activities such as GBV awareness sessions in communities and schools in the project area. With respect to complaints relating to sexual exploitation or abuse and sexual harassment, because of the risk of stigma, reprisals and rejection that can be associated, this GRM will only serve to;

- i. Refer complaints to GBV service providers and ensure case is closed ii. Record resolution to the complaint When a sexual exploitation and abuse (SEA) or Sexual harassment (SH) type grievance is submitted, EEC social personnel focal person who is trained in managing SEA and SH type of grievances should report the complaint to the GBV service provider within 72 hours. Otherwise, when the complaint is received, the procedures set out should be adapted to ensure the following;
 - a. Confidentiality of information; Confidentiality is essential throughout the process otherwise the survivor risks retaliation and loss of security. No identifiable information on the survivor should be stored in the GRM. The GRM should not ask for or record information on more that the following related to the SEA/SH allegations;
 - o Nature of the complaint (what the complainant says in his or her own words without direct questioning)
 - o If possible, whether the perpetrator was to some extent associated with the project
 - o Age and sex of survivor
 - o Information on whether the survivor was referred to services
 - ii. After recording the above information, the GRM GBV focal person which is the EEC social standards team shall provide survivors with information regarding options for reporting and responding including referral to existing GBV service providers who will be able to provide health, psychological and legal support.

NB: No attempt shall be made to investigate the complaint, rather an immediate referral shall be made.

- iii. The case is closed when the survivor no longer requires support. Table 8 below summarizes the steps to be undertaken once a SEA/SH case has been reported.

Table 37: GBV/SEA/SH Complaint Process

Steps	Responsibility	Action	Feedback/Follow-up	Timeline
Receiving GBV Complain	EEC (CLO, Social Standards Officer, Contractors, Contact Centre)	Logging case in Log Book	Acknowledge receipt of complaint and advice that case will be referred to	Within 24hrs

Steps	Responsibility	Action	Feedback/Follow-up	Timeline
			GBV/SEA service provider (via phone)	
Make Referral	EEC (Social Development Officer)	Use national referral form and submit with GBV/SEA service provider	Record in Log book that case has been referred for easy follow up/tracking.	Within 24hrs
Receive referral	GBV/SEA service provider	Contact the survivor/complainant and submit to EEC Form 2 which is Receipt of referral form for Client requiring care and protection	Acknowledge receipt from EEC through signing in Log Book. Survivor given a Feedback Slip.	Within 72hours
Case handling	GBV/SEA service provider	Fact finding, counselling and protection, if need be, court proceedings, if need be, till case is resolved	Survivor must provide informed consent along the entirety of the process and shall be engaged at every step of the case management. EEC shall provide feedback only on status of the case (for confidentiality issues).	Dependent on the type of case (e.g., sexual vs emotional or financial abuse)
Solved Case	GBV/SEA service provider & EEC	GBV/SEA service provider to feedback survivor on resolved case including the resolutions taken and assessment if such solutions are satisfactory and do not impose any future danger to the victim. Feedback loop to	GBV/SEA service provider to notify EEC on case resolved and EEC to update Log Book accordingly.	Within 24hrs

Steps	Responsibility	Action	Feedback/Follow-up	Timeline
		survivor will take into consideration his/her security (if needed) and confidentiality and then to aggressor		
Record keeping of case	EEC & GBV/SEA service provider	Log all cases received, update status on cases as they are being resolved	EEC and GBV/SEA service provider Social Development Officer to discuss Log books and consolidate accordingly.	Monthly

The key task in implementing the grievance mechanism is summarized in the figure below and described above.

Figure 5: Flow Chart of Grievance redress Procedure

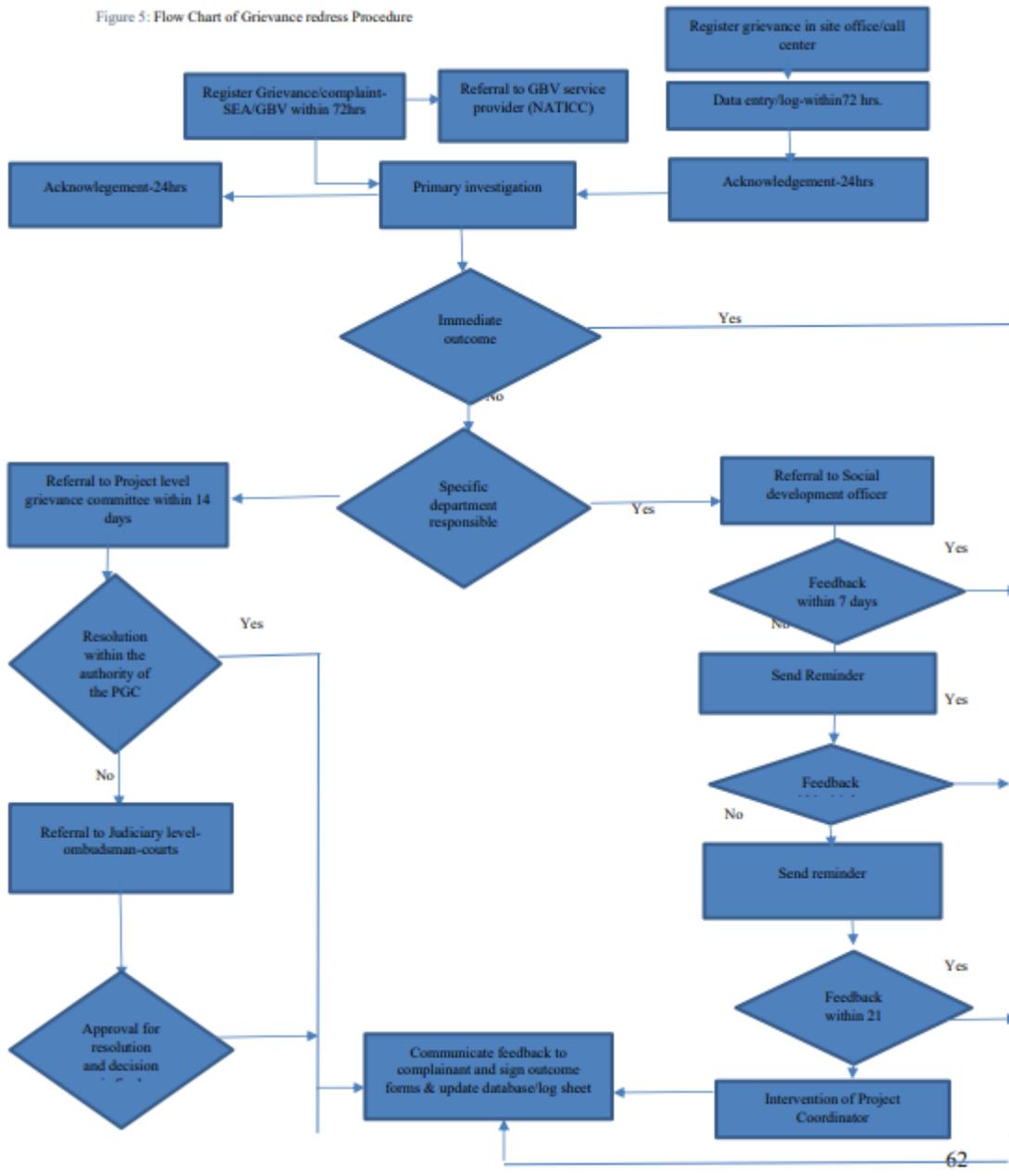


Figure 18: Summary of GR process Implementation

7.3.12 GBV/SEA/SH Action plan

In alignment with the ESS4 of the World Bank, the project will develop an action plan that will outline activities that address GBV/SEA/SH requirements of the project.

8 MONITORING AND REPORTING

8.1 Reporting checklist for Human Rights

Table 38: Mapping of IFC Performance Standards to UN Guiding Principles and Project Monitoring Indicators

IFC Performance standard	Indicator	Source	UN Guiding Principles ⁵
PS 1- Social and Environmental Assessment and Management Systems	# and range of grievances filed	ESMP Gender policy SEP GRM	Principle 1 – Businesses should support and respect the protection of internationally proclaimed human rights
PS 2- Labor and working conditions.	#Worker represtentative meeitngs with management. Workers contracts payslips Age range of workers Sex distribution of workers	LMP Toolbox talks Government Gazette on wages Worker's GRM	Principle 3 – Businesses should uphold the freedom of association and the effective recognition of the rights to collective bargaining Principle 4 – Businesses should uphold the elimination of all forms of forced or compulsory labour. Principle 5 – Businesses should uphold the effective abolition of child labour Principle 6 - Businesses should uphold the elimination of discrimination in respect of employment and occupation.
PS 3- Pollution prevention and Abatement.	Compliance with emission limits Amount of waste generated and disposed responsibly Area rehabilitated	Rehabilitation plan	Principle 7 – Businesses should support a precautionary approach to environmental challenges.

⁵ The 10 principles of the United Nations Global Compact are derived from the Universal Declaration of Human Rights; the Declaration of the International Labour Organisation; the RIO Declaration on Environmental Development and the United Nations Convention Against Corruption.

IFC Performance standard	Indicator	Source	UN Guiding Principles ⁵
PS 4- Community health, safety and security.	# of community engagements # and range of grievances filed	SEP – corrective action plan HR audits GRM	Principle 2 – Businesses should make sure they are not complicit in human rights abuses
PS 5- Land Acquisition and Involuntary Resettlement.	% of compensation fully paid. # and range of grievances filed	RAP GRM	Principle 2 – Businesses should make sure they are not complicit in human rights abuses
PS 6- Biodiversity Conservation and Sustainable Natural Resource Management.	Area of habitat restored or conserved Number of biodiversity monitoring reports Compliance with environmental permit	Biodiversity Action Plan, ESMP, Environmental Monitoring Reports	Principle 8 - Businesses should undertake initiatives to promote greater environmental responsibility. Principle 9 – Businesses should encourage the development of and diffusion of environmentally friendly technologies.
PS 7- Indigenous Peoples.	% of compensation fully paid. # and range of grievances filed	RAP	Principle 10 – businesses should work against corruption in all its forms including extortion and bribery.
PS 8- Cultural Heritage	# of cultural sites identified #number of cultural sites excavated Community engagements	Chance Find Procedure	Principle 1 – Businesses should support and respect the protection of internationally proclaimed human rights

8.2 Monitoring and Evaluation

Monitoring and evaluation of the stakeholder engagement process is vital to ensure EEC is able to respond to identified issues and alter the schedule and nature of engagement activities to make them more effective. Adherence to the characteristics/commitments/activities will assist in achieving:

- Successful engagement;

- Sufficient resources to undertake the engagement;
- Inclusivity (inclusion of key groups) of interactions with stakeholders;
- Promotion of stakeholder involvement;
- Sense of trust in EEC shown by all stakeholders;
- Clearly defined approaches; and
- Transparency in all activities.

Monitoring of the stakeholder engagement process allows the efficacy of the process to be evaluated. Specifically, by identifying key performance indicators that reflect the objectives of the SEP and the specific actions and timings, it is possible to both monitor and evaluate the process undertaken. Two distinct but related monitoring activities, in terms of timing, will be implemented:

- During the engagement activities: short-term monitoring to allow for adjustments/improvements to be made during engagement; and
- Following completion of all engagement activities: review of outputs at the end of engagement to evaluate the effectiveness of the SEP as implemented.

During engagement with stakeholders the engagement team will assess meetings using a feedback evaluation form or asking questions to participants, depending on the stakeholder group, to ensure that messages are being conveyed clearly. The engagement team will also conduct debriefing sessions while in the field. This assesses whether the required outcomes of the stakeholder engagement process are being achieved and provide the opportunity to amend the process where necessary.

The engagement tools should include:

- Stakeholder database;
- Issues Log or Issues and Response table; and
- Meeting records of all consultations held.

Moreover, the tool can be used to manage on-going Project issues, and for stakeholder identification and analysis processes.

A series of key performance indicators for each stakeholder engagement stage have been developed. Table 9 shows the indicators, and performance against the indicators will show successful completion of engagement tasks.

Table 39: Key Performance Indicators by Project Phase

Phase Activities	Activity	Indicators
Preparation of CMP	Share updates on project activities	<ul style="list-style-type: none"> • Number of billboards displayed in allocated locations by time specified; • Affected community stakeholders, with at least 30% women, have received and understand the CMP information disclosed and attended the public meetings, where practically possible; • Number of PAPs provided feedback; • Number of complaints about non- receipt of materials received.
CMP Implementation	Confirmation that the CMP tasks are defined as specific individual or grouped environmental and social clauses in contract bid documents.	<ul style="list-style-type: none"> • Presence of Project team (Contract Manager) to draw on CMP/RAP/SEP for bidding documents
	Confirmation that environmental management criteria are included as part of the contractor selection process, including their experience preparing and implementing CMPs, etc.	<ul style="list-style-type: none"> • Project team (Contract Manager) to draw CMP/RAP/SEP for Contractor selection process
	A safeguards advisor located and retained as an advisor by the project team, providing assistance with CMP implementation, contractor briefing on habitat protection, contractor CMP supervision (including observations during construction), and participation in community consultation	<ul style="list-style-type: none"> • Project team safeguard strengthening
	Compliance monitoring checklists prepared and being used by the contractor and safeguards consultant and due diligence notes, completed as defined in the CMP, and making the notes available in an easily accessible file for all project stakeholders	<ul style="list-style-type: none"> • CMP/RAP/SEP to guide management and monitoring processes

The identification of project related impacts and concerns is a key element of stakeholder engagement that will occur over the complete project life-cycle. As such, the identification of new concerns and impacts as the project progresses will serve as an overall indicator for EEC of the stakeholder engagement process.

Performance will be reviewed to assess performance in between the engagement sessions depending on the level of feedback received from stakeholders during these periods. Evaluation of performance will be assessed based on the extent to which the engagement activities and outputs meet those outlined in the SEP. In assessing performance, the following should be considered:

- a. Materials disseminated: types, frequency, and location;
- b. Place and time of formal engagement events and level of participation including specific stakeholder groups (e.g., educationalists; women, youth, community leaders);
- c. Number of people attending public or formal meetings;
- d. Number of comments received on specific issues, type of stakeholder and details of feedback provided;
- e. Numbers and type of stakeholders who meet the Project team by mail, telephone and any other means of communication;
- f. Meeting minutes, attendance registers and photographic evidence;
- g. Comments received by government authorities, community leaders and other parties and passed to the Project;
- h. Numbers and type of feedback and/or grievances and the nature and timing of their resolution; and the extent to which feedback and comments have been addressed and have led to corrective actions being implemented.

8.3 Reporting Back to Stakeholders

The SEP will be periodically revised and updated as necessary in the course of project implementation in order to ensure that the information presented herein is consistent and is the most recent, and that the identified methods of engagement remain appropriate and effective in relation to the project context and specific phases of the development. Any major changes to the project related activities and to its schedule will be duly reflected in the SEP. Regular, preferably monthly summaries and internal reports on public grievances, enquiries and related incidents, together with the status of implementation of associated corrective/preventative actions will be collated by responsible staff and referred to the senior management of the project. The monthly summaries will provide a mechanism for assessing both the number and the nature of complaints and requests for information, along with the Project's ability to address those in an effective manner. Information on public engagement activities undertaken by the Project during the year may be conveyed to the stakeholders in two possible ways: (i) publication of a standalone annual report on project's interaction with the stakeholders; and (ii) a number of

Key Performance Indicators (KPIs) will also be monitored by the project on a regular basis. Further details will be outlined in the updated SEP, to be prepared within one month after effectiveness.

Periodic feedback from stakeholders will be used to update the SEP from time to time.