

## Stakeholder Engagement Activities

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
December 5, 2019	Project Committee Members from the local community; Village headmen from six local villages, and the head of the local Village Development Committee	<ul style="list-style-type: none"> <li>• JCM, ERM and Power Engineers met with various members of the community with local leadership positions to discuss their views on the Project</li> <li>• The Project Committee (16 members) was assigned by the communities to represent them with regard to the Project, especially related to the land acquisition for the Project site. The Project Committee represents 135 landowners.</li> <li>• The group was curious as to whether the community would receive power from the Project. JCM explained to the Project Committee that the power generated from the solar plant will be transmitted to the Golomoti substation to supply Malawi's electricity grid, and will not directly supply electricity to the community. JCM explained to the Project Committee that ESCOM is responsible for power distribution to communities.</li> <li>• The Project Committee expressed concerns regarding the following topics: 1) increased HIV/AIDS transmission, 2) increases in prostitution, 3) disruption of marriages and the social fabric of the community, and 4) potential conflicts with non-local Project staff.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 8.1 Generation of Electricity</li> <li>• Section 9.10 STI/HIV Transmission</li> <li>• Section 9.12 Labour and Working Conditions</li> </ul>
December 6, 2019	Environmental Affairs Department (Shamiso Najira, Deputy Director of EIA and Pollution Control; Biswick Mlaviwa, Principal Environmental Officer)	<ul style="list-style-type: none"> <li>• JCM, ERM and Power Engineers met with the Environmental Affairs Department (EAD) to discuss their views on the Project</li> <li>• EAD representatives highlighted that the following components would be reviewed during an ESIA for a solar project (like Golomoti): 1) land and land use; 2) loss of property and community assets; 3) deforestation / cutting of trees; 4) water use, 5) chemical use; 6) technology used (e.g., heavy metals); 7) stakeholder engagement / community acceptance of project; and 8) agreement with other national agencies (e.g., ESCOM, MIRA).</li> </ul>	<ul style="list-style-type: none"> <li>• Section 2.4 Project Components</li> <li>• Section 2.7 Project Emissions and Resource Use</li> <li>• Section 5.1.5 Topography</li> <li>• Section 5.17 Land Use</li> <li>• Section 5.18 Surface Water</li> <li>• Section 5.19 Drainage</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
			<ul style="list-style-type: none"> <li>• Section 5.1.10 Groundwater</li> <li>• Section 6.1.8 Land Ownership and Land Use</li> <li>• Section 7 Public Participation</li> <li>• Section 9.7 Land Acquisition and Displacement</li> <li>• Section 9.14 Unplanned Events</li> </ul>
December 6, 2019	Ministry of Lands (Euphemia Bota, Acting Commissioner of Ministry of Lands)	<ul style="list-style-type: none"> <li>• JCM, ERM and Power Engineers undertook a meeting with the Ministry of Lands (MoL) to discuss their views on the Project</li> <li>• The Acting Commissioner MoL expressed concerns regarding the compensation process and differences between local compensation requirements and international requirements and the setting of precedents.</li> <li>• JCM shared that they plan to improve the compensation and training process related to financial management training and support for PAPs to purchase replacement land, compared to that which was carried out for the Salima site.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> </ul>
December 7, 2019	Teleconference with ESCOM (Charles Kagona, Senior Manager of Engineering and Services, ESCOM)	<ul style="list-style-type: none"> <li>• ESCOM did not present any questions or concerns related to the proposed Project designs or specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 8.1 Generation of Electricity</li> </ul>
March 22, 2019	Grievance Redress Committee Orientation (all villages)	<ul style="list-style-type: none"> <li>• JCM had a meeting with local community members to structure a Grievance Redress Committee; 153 people attended this meeting (80 females and 73 males).</li> <li>• Community members selected individuals to represent the communities in the grievance redress process.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 7.3.2 Grievance Mechanism</li> <li>• Section 9.7 Land Acquisition and Displacement</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
		<ul style="list-style-type: none"> <li>Community members expressed concern regarding the timeliness of the compensation process, adequate compensation, and negative impacts to agriculture.</li> </ul>	
March 22, 2019	Grievance Redress Committee Orientation (selected members)	<ul style="list-style-type: none"> <li>JCM provided an initial training to the selected members of the Grievance Redress Committee</li> <li>A total of 10 representatives, the selected members, attended this meeting (3 females and 7 males).</li> <li>The group identified the following possible grievances: 1) gender-based violence against young girls and women; 2) increases in sexually transmitted infections and diseases; 3) failure to share compensations equally amongst families; 4) potential for increased financial strife and marital conflict / divorces; 5) changes in noise and air pollution; 6) environmental degradation and biodiversity disturbances; 7) inward migration; 8) changes in school attendance; 9) unfair labor practices; 10) compensation-related disagreements; and 11) boundary and land measurement disagreements / disputes.</li> <li>JCM provided the members with hardcover notebooks and reviewed the procedure to record and report a grievance.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.10 STI/HIV Transmission</li> <li>Section 9.7 Land Acquisition and Displacement</li> <li>Section 9.1 Air Quality</li> <li>Section 9.2 Noise</li> <li>Section 9.3 Soils</li> <li>Section 9.4 Groundwater</li> <li>Section 9.5 Biodiversity</li> <li>Section 9.12 Labour and Working Conditions</li> </ul>
March 29, 2019	District Forestry Office (Mr. Victor Lusaka, District Forestry Officer)	<ul style="list-style-type: none"> <li>WWEC, on behalf of ERM, met with the District Forestry Officer (DFO) to discuss the Forestry office's views on the Project</li> <li>The DFO emphasized the importance of mitigating and minimizing project-related impacts as much as possible.</li> <li>The DFO noted an overall trend in deforestation and removal of natural vegetation for agricultural expansion.</li> <li>The DFO requested re-planting efforts from JCM, along with the Dedza Department of Forestry.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.5.1 Loss of Habitats and Fauna Disturbance</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
March 29, 2019	Dedza District Fisheries Department (Ms. Ida Kandiuze, District Fisheries Officer)	<ul style="list-style-type: none"> <li>• WWEC, on behalf of ERM, met with the District Fisheries Officer (DFO) to discuss the DFO's views on the Project</li> <li>• The DFO emphasized the need for soil management and erosion control, to prevent negative impacts to surrounding water bodies.</li> <li>• The DFO expressed concern regarding any potential oil or chemical leaks that may occur during the construction/operation phases of development.</li> <li>• The DFO requested re-planting efforts.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.3 Soils</li> <li>• Section 9.4 Groundwater</li> <li>• Section 9.5 Biodiversity</li> </ul>
March 29, 2019	Dedza District Environmental Officer (Mr. George Kawele, Environmental District Officer)	<ul style="list-style-type: none"> <li>• WWEC, on behalf of ERM, met with the District Environmental Officer (DEO) to discuss the DEO's views on the Project</li> <li>• The DEO emphasized the need for soil management and erosion control, as it is one of the main environmental issues in Dedza District.</li> <li>• The DEO stated that construction materials should be sourced locally, whenever possible. However, he also expressed concern regarding the impacts of additional quarry sites, barrow pits, and mining for resources.</li> <li>• The DEO expressed concern regarding increased air emission, poor waste management, and open-fire burning of waste. The DEO also discussed</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.3 Soils</li> <li>• Section 9.1 Air Quality</li> <li>• Section 9.14 Unplanned Events</li> </ul>
March 29, 2019	Total Land Care (Ms. Agness Maweya, Project Officer)	<ul style="list-style-type: none"> <li>• WWEC, on behalf of ERM, met with Total Land Care</li> <li>• The Project Officer noted concerns regarding the negative impacts on wildlife, biodiversity, and the environment within the Project area. She also noted concerns regarding increased erosion and sediment management.</li> <li>• The Project Officer requested re-planting efforts by JCM as an overall mechanism to reduce impacts and combat deforestation.</li> <li>• The Project Officers noted concerns regarding the disposal of human waste and other potentially harmful and / or toxic waste into water ways.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.5 Biodiversity</li> <li>• Section 9.3 Soils</li> <li>• Section 9.4 Groundwater</li> <li>• Section 9.14 Unplanned Events</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
March 31, 2019	Water for All (Mr. Dingiswayo Jere, Project Officer)	<ul style="list-style-type: none"> <li>• WWEC, on behalf of ERM, met with Water for All</li> <li>• The Project Officer noted concerns regarding the negative impacts of habitat loss, deforestation, biodiversity loss, and soil erosion.</li> <li>• The Project Officer requested re-planting efforts by JCM as an overall mechanism to reduce impacts and combat biodiversity loss. The Project Officers also noted concerns regarding the disposal of human waste into water ways.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.5 Biodiversity</li> <li>• Section 9.3 Soils</li> <li>• Section 9.4 Groundwater</li> <li>• Section 9.14 Unplanned Events</li> </ul>
March 31, 2019	Community members from Kalumo, Thondoya, Chitesko, Nsamala, Kapesi, and Chisaka villages	<ul style="list-style-type: none"> <li>• A community meeting was held along with JCM and WWEC prior to start of the baseline study activities.</li> <li>• Community members expressed concerns related to a loss of agricultural land, edible fruits/trees, grasses, firewood, timbers, grazing lands, and hunting lands (e.g., birds, hare, and insects).</li> <li>• Community members expressed concern related to environmental degradation, increased soil erosion, loss of suitable agricultural land, and loss of traditional medicinal plants and herbs.</li> <li>• Community members requested re-planting efforts by JCM, following the removal of all tree and/or plant species. Members also suggested that JCM plant <i>vetivar</i> grass around the Project site, to assist with erosion control.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> <li>• Section 9.5.3 Disruption of Ecosystem Services</li> <li>• Section 9.3 Soils</li> <li>• Section 9.5 Biodiversity</li> </ul>
May 14, 2019	Ministry of Lands (MoL), District Lands Officer (DLO), and PAPs	<ul style="list-style-type: none"> <li>• JCM and the MoL coordinated an initial informational meeting with PAPs in advance of the asset survey being conducted by the MoL for the land acquisition; in addition to representatives from JCM and MoL, the DLO, and community members (83 females and 71 males) were in attendance</li> <li>• Community members requested additional communication and confirmation regarding the Asset Survey “cut-off” date (July 30<sup>th</sup>, 2019) for all key stakeholders in Golomoti.</li> <li>• Community members requested that all documents be translated into Chichewa and posted in all strategic areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> <li>• Section 7.3.2 Grievance Mechanism</li> <li>• Appendix H Stakeholder Engagement Plan</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
		<ul style="list-style-type: none"> <li>Community members were informed of the grievance process, how to file a grievance, and where grievance mechanism instructions and additional information could be found.</li> </ul>	
May 16, 2019	Dedza District Director of Planning & Development (DPD, Mr. Sohaya), Chief Director of Administration (Mr. Chikhawo, representing the District Commissioner for Dedza District Council), the DLO (Mr Nkhoma), TA Kachindamoto, Chiefs Clerk-Jamison Nkhuku, GVH Pitala and his 10 village heads and 10 members for the management committee	<ul style="list-style-type: none"> <li>JCM met with these representatives in the Project area to discuss the Project and specifically the draft memorandum of understanding (MOU)</li> <li>Attendees discussed the MOU and emphasized their expectations for the Project and JCM's commitment towards community development.</li> <li>JCM agreed to revise the MOU in accordance with the feedback received and share it with the Senior Chief and the District Council.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7 Public Participation</li> </ul>
June 5, 2019	Women's Village Savings and Loans (VSL) Group	<ul style="list-style-type: none"> <li>ERM and WWEC met with members from seven villages in the Project area who are members of the VSL to learn about access to credit in the Project area, and generally to discuss their views on the Project</li> <li>The Women's VSL presented concerns regarding the timeliness of compensation disbursements, access to large sums of money, and access to formal banking institutions/practices.</li> <li>The Women's VSL also presented concerns regarding the health-related impacts of solar, as well as Project-related environmental degradation, deforestation, biodiversity loss, and pollution.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.7 Land Acquisition and Displacement</li> <li>Section 9.11 Community Safety and Security</li> <li>Section 9.5 Biodiversity</li> <li>Section 9.3 Soils</li> <li>Section 9.4 Groundwater</li> <li>Section 9.14 Unplanned Events</li> </ul>
June 5, 2019	Youth Network Meeting	<ul style="list-style-type: none"> <li>ERM and WWEC met with 11 members from the Youth Network to discuss their views on the Project. The meeting included six males and five females. The ages of the members ranged from 14 to 21.</li> <li>Activities of the Youth Network include: 1) Climate Change education, including biodiversity re-planting, 2) HIV/AIDs education with peers, 3) Volunteer work, and 4) Organized sporting events for youth.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.10 STI/HIV Transmission</li> <li>Section 9.12 Labour and Working Conditions</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
		<ul style="list-style-type: none"> <li>Members of the network expressed concerns related to the Project including the transmission of STIs, STDs, and an influx of non-local project workers. They also expressed concerns regarding the loss of agricultural land, a general lack of educational / livelihood opportunity for youth, and Project-related health and safety standards.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.7 Land Acquisition and Displacement</li> <li>Section 9.11 Community Safety and Security</li> </ul>
June 6, 2019	Water Council Network	<ul style="list-style-type: none"> <li>ERM and WWEC met with the Water Council Network to learn about water management in the Project area and generally to discuss their views on the Project. The Network consists of 10 members in total who are from seven villages in the Project Area.</li> <li>The Council stated that although they do not experience water shortages, they do experience very long (~2 hour) queue times.</li> <li>The Council generally feels as though the water quality and cleanliness of the water stations is good.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.4 Groundwater</li> <li>Section 6.1.10 Community Infrastructure and Services</li> </ul>
June 6, 2019	Mixed (Women and Men) Village Savings and Loans (VSL) Group	<ul style="list-style-type: none"> <li>ERM and WWEC met with a mixed gender VSL group to learn about access to credit in the Project area, and generally to discuss their views on the Project. The meeting was attended by 4 males and 12 female members, none of whom were PAPs.</li> <li>The Mixed VSL concern related to an influx of non-local workers, the spread of STIs / STDs, and marital strife / divorce.</li> <li>The Mixed VSL also expressed concerns regarding the mismanagement of money, separation of families due to financial strife and the purchase of new land that is farther away, additional pressure on already struggling health care clinics, and loss of agricultural land.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.12 Labour and Working Conditions</li> <li>Section 9.10 STI/HIV Transmission</li> <li>Section 9.9 Vector Borne and Communicable Diseases</li> <li>Section 9.7 Land Acquisition and Displacement</li> </ul>
June 6, 2019	Golomoti AIDS Support Organization (GASO)	<ul style="list-style-type: none"> <li>ERM and WWEC met with GASO, to learn about health issues in the Project area, and generally to discuss their views on the Project.</li> <li>GASO currently supports 56 Youth Clubs (1,122 girls and 761 boys).</li> </ul>	<ul style="list-style-type: none"> <li>Section 9.12 Labour and Working Conditions</li> </ul>

Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
		<ul style="list-style-type: none"> <li>• GASO expressed concerns regarding an influx of non-local workers, increases in STI / STD transmission, and additional pressure on already struggling health care clinics.</li> <li>• GASO would like to collaborate with community VSLs to help strength these groups and provide more access to credit, financial stability, and economic livelihood.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.10 STI/HIV Transmission</li> <li>• Section 9.9 Vector Borne and Communicable Diseases</li> </ul>
June 6, 2019	Dedza District Department of Agriculture (Mr. Gomani, Assistant District Agricultural Development Officer (ADADO))	<ul style="list-style-type: none"> <li>• ERM and WWEC met with the District Department of Agriculture to discuss that office's views on the Project.</li> <li>• The ADADO expressed concerns regarding adequate and prompt compensation of agricultural lands and assets. The ADADO also expressed concerns regarding the management of community expectations, adequate livelihood support, and proper mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> </ul>
June 6, 2019	Dedza District Department of Lands (Joseph Flugensio, Acting Lands Officer)	<ul style="list-style-type: none"> <li>• ERM and WWEC met the Acting Lands Officer to learn about that office's views on the Project.</li> <li>• The Officer expressed concerns regarding the loss of traditional agricultural lands to projects such as Golomoti. The Officer stated the importance of financial and livelihood training, as well as budgeting, to assist with long-term savings and community development.</li> <li>• The Officer expressed a preference towards <i>leasehold lands</i>, as these lands are typically safer, more secure, and more valuable. However, because taxes must be paid for leasehold land, the majority of small-crop farmers prefer <i>customary land</i>.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> </ul>
June 7, 2019	Dedza District Planning Department (Emmanuel Sohaya, District Planning Officer)	<ul style="list-style-type: none"> <li>• ERM met with the DPD to learn about his views on the Project</li> <li>• The DPD expressed concern regarding adequate compensation and long-term livelihood advancement within the communities.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 9.7 Land Acquisition and Displacement</li> <li>• Section 9.12 Labour and</li> </ul>



Date	Stakeholder(s)	Main Concerns or Comments Raised	ESIA Reference
		<ul style="list-style-type: none"> <li>• He also expressed concerns regarding the inflation of prices in the trading center, ensuring that non-local and local workers are safely accommodated, and health-related impacts of solar farms (i.e., he highlighted the importance of education, so that myths do not arise within the villages).</li> <li>• The District Planning Officer stated that JCM would be required to re-plant trees in accordance with District and National Law.</li> </ul>	<p>Working Conditions</p> <ul style="list-style-type: none"> <li>• Section 9.11 Community Safety and Security</li> <li>• Section 9.5 Biodiversity</li> </ul>



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## Golomoti Solar Project

### Draft Stakeholder Engagement Plan

February 2019

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**List of Acronyms**

<b>EGENCO</b>	Electricity Generation Company of Malawi
<b>EIA</b>	Environmental Impact Assessment
<b>ESCOM</b>	Electricity Supply Corporation
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>EPs</b>	Equator Principles
<b>FGD</b>	Focus Group Discussion
<b>IFC</b>	International Finance Cooperation
<b>IFI</b>	International Finance Institution
<b>JCM</b>	Golomoti JCM Solar Corporation Limited
<b>LRP</b>	Livelihood Restoration Plan
<b>MW</b>	Megawatts
<b>MERA</b>	Malawi Energy Regulatory Authority
<b>NGO</b>	Non-Governmental Organisation
<b>PS</b>	Performance Standards (IFC)
<b>SEP</b>	Stakeholder Engagement Plan
<b>TA</b>	Traditional Authority

# 1. INTRODUCTION

## 1.1. Context and Purpose of the SEP

Golomoti JCM Solar Corporation Limited (JCM), a subsidiary of JCM Power and InfraCo Africa, is planning to develop a 20 megawatt ac (MWac) with possible expansion to 40 MWac solar photovoltaic (PV) plant ('the Project') on an approximately 92 hectare (ha) land plot near the village of Golomoti, in Dedza District, Malawi. JCM signed a Power Purchase Agreement (PPA) with the Government of Malawi and the power from the Project will be fed directly into the national grid via a short (approximately 0.5 km) 132 kilovolt (kV) or 33 kV transmission line to the Golomoti substation.

This Stakeholder Engagement Plan (SEP) provides a framework to guide the consultation process for the Project, ensuring a meaningful two-way process of communication between JCM and stakeholders that may be impacted by the Project, influence Project decisions, or have a specific interest in the Project (e.g., NGOs or academic institutions).

Key objectives of stakeholder engagement include the following:

### BOX 1: GUIDING PRINCIPLES OF STAKEHOLDER ENGAGEMENT

**Ensuring understanding:** Provide an inclusive and transparent process of culturally appropriate engagement and communication to ensure that stakeholders are well informed about the planned Project.

**Build relationships:** Through supporting open dialogue, engagement will help establish and maintain a productive relationship between JCM and project affected persons and communities, as well as other key stakeholders.

**Facilitate inclusive participation:** Ensure that all stakeholders participate in decision-making regarding the Project, regardless of gender, age, ethnicity, status and other socio-economic factors, such that they are not adversely impacted and can access Project benefits.

**Engage vulnerable groups:** Identify and engage vulnerable groups to enable equal access to Project information and a platform for them to voice their concerns so that appropriate mitigation measures are included in Project design.

**Manage expectations:** It is important to ensure that the planned Project does not create or allow unrealistic expectations to develop amongst stakeholders about potential benefits, such as employment or compensation. The engagement process will serve as a mechanism for understanding and managing expectations by disseminating the accurate information in an accessible way.

**Ensure compliance:** The process is designed to ensure compliance with both local regulatory requirements and international best practice.

**Facilitate free, prior and informed consultation:** Ensure engagement is free of external manipulation, coercion or intimidation, undertaken in a timely way so that stakeholders are informed prior to the development or implementation of the Project, and ensure information is presented in an understandable and accessible way with consideration for literacy and language.

The purpose of the SEP is to provide a framework for managing stakeholder relations to minimise social risk, and to enhance relationships between the developer and Project affected communities.

The SEP has the following objectives:

- To provide a practical framework for engagement with stakeholders during the ESIA process, in compliance with national and international standards;
- To provide a methodology for identifying and mapping key stakeholders based on their level of impact, influence and interest in the Project, including vulnerable groups (e.g., female-headed households, elderly, youth, and subsistence farmers);
- To help maintain and enhance the Project's social license to operate by ensuring two-way inclusive communication between JCM and stakeholder groups through engagement that is culturally appropriate with consideration for language and gender;
- To provide an effective and accessible mechanism for reporting and managing grievances; and
- To define the roles and responsibilities of those involved in managing stakeholder engagement as well as provide a basis for reporting and monitoring engagement activities during each stage of the Project.

This SEP has been prepared in line with national legislation and international standards including the International Finance Corporation (IFC) Performance Standards (2012). It is a "living" document that will be updated as the Project evolves.

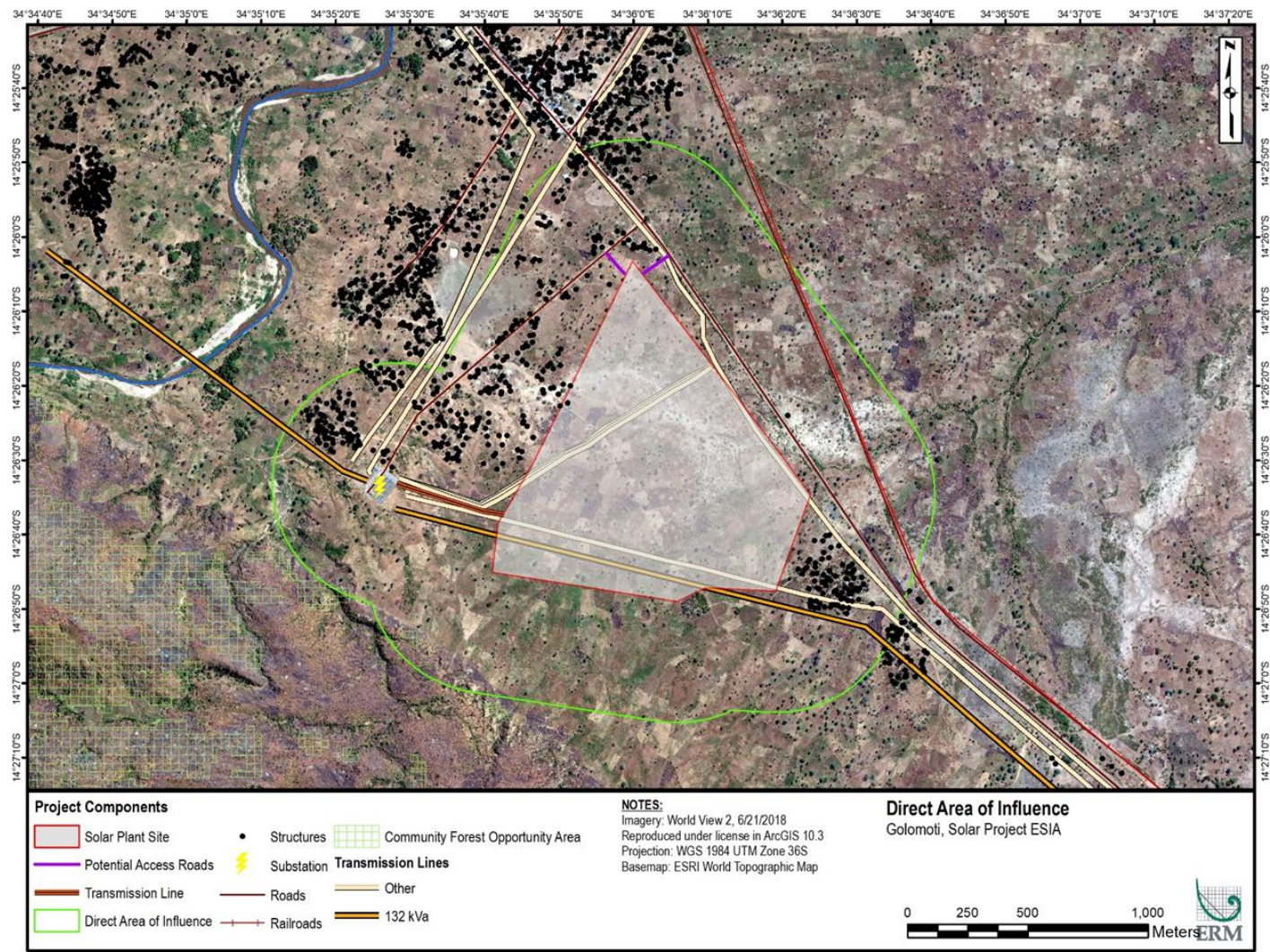
## 1.2. Project Overview and Site Context

The Project comprises of a 20 MWac with possible expansion to 40 MWac solar photovoltaic (PV) plant on a 92 ha greenfield site in Kachindamoto Traditional Authority (TA), Dedza District. Villages with interest in the land for the Project fall under the Pitala Group Village, and include the following villages: Dzoya, Chinyanipa, Kalumo, Nsamala, Kapesi, Chisaka and Chitseko. The site is 134 km from Lilongwe on the M1 and S127 roads.

The site is currently utilized as agricultural land by local villagers, and there are several existing transmission lines associated with the nearby Golomoti substation. The solar plant will connect via a new, 0.5 km 132 kV or 33 kV transmission line to the substation. Electricity generated will be sold to ESCOM and will be transferred to the national grid. Figure 1 shows the location of the site.



FIGURE 1: SITE LOCATION MAP



At the time this SEP was prepared, the location of the site has been agreed with the TA in the Dedza district. The compensation and acquisition terms for the land rights will be evaluated through an asset survey to be conducted by the Ministry of Lands, Housing and Urban Development.

## 2. NATIONAL AND INTERNATIONAL STAKEHOLDER ENGAGEMENT REQUIREMENTS

### 2.1. Introduction

This section provides details of national legislative requirements and international best practice standards, namely the International Finance Corporation (IFC) Performance Standards (2012) and Equator Principles III.

### 2.2. National Requirements

The main stakeholder engagement requirements for development projects are detailed in the Environmental Management Act, 1996.<sup>1</sup> It states that an environmental impact assessment reports should be developed in accordance with the requirements set out in the Act. The requirements include the following engagement activities:

*“The environmental impact assessment report shall be open for public inspection provided that no person shall be entitled to use any information contained therein for personal benefit except for the purposes of civil proceedings brought under this Act or under any written relating to the protection and management of the environment or the conservation or sustainable utilization of natural resources.*

*Upon receiving the environmental impact assessment report, the Director shall invite written or oral comments from the public thereon, and where necessary may —*

- conduct public hearings at such place or places as the Director deems necessary for purposes of assessing public opinion thereon;*
- require the developer to redesign the project or to do such other thing as the Director considers desirable taking into account all the relevant environmental concerns highlighted in the environmental impact assessment report, any comments made by the public and the need to achieve the objectives of this Act” ...*

Additionally, in relation to land acquisition the following legislation applies, which includes notices to be placed in the *Gazette*:

- Land Act, 2002: Land designated for investment purposes shall be published in the Gazette.*

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<sup>1</sup> The Government of Malawi, Environmental Management Act 1996, Part V, paragraphs 25 and 26. Available at <https://www.malawilii.org/mw/legislation/act/1996/6> (Accessed February 2019).

- *Electricity Act, 2004*: Notice needs to be published in the Gazette or in a paper in general circulation. Notices should include the nature of the work and the name and location of the project. Notice will also be provided to the affected person.
- *Land Acquisition Act, 1970*: Notices will be published in the *Gazette* two months prior to acquisition of the land. If the Minister deems that the land is required urgently then the notice period may be less than two months. If the occupier of the land is absent from Malawi during the notice period, then this will be left with a community representative or an agent.
- *The Customary Land Act, 2016*: In the case that the Minister intends to transfer customary land for public interest, this is announced in the *Gazette* and sent to the land committee containing the details of the land to be transferred. Contradictory to the Land Acquisition Act, the Minister shall give 90 days' notice for the transfer. However, it should be noted that the land acquired for the Project was private land and therefore this requirement does not apply.

Other requirements the Project must observe are grounded in the Constitution of Republic of Malawi (1995) which focuses on human rights and participation of various groups in society such as women, children and the disabled that may be vulnerable to Project impacts. As such, vulnerable groups will require specific measures to ensure they are included in stakeholder engagement activities.

## 2.3. International Requirements

This section outlines international best practice requirements stipulated by the IFC and Equator Principles to align stakeholder engagement activities with International Finance Institution (IFI) requirements.

### 2.3.1. IFC Performance Standards

The IFC defines the objective of stakeholder engagement as being “*the basis for building strong, constructive, and responsive relationships that are essential for the successful management of a project's environmental and social impacts.*”<sup>2</sup> The IFC Performance Standards include specific guidance on conducting stakeholder engagement both during the planning phase and throughout the Project lifecycle. Stakeholder engagement requirements are primarily contained in *Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts*, as summarised in

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<sup>2</sup> IFC Performance Standard 1: Environmental and Social Risks and Impacts. Available at [http://www.ifc.org/wps/wcm/connect/115482804a0255db96fbffd1a5d13d27/PS\\_English\\_2012\\_Full-Documents.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/115482804a0255db96fbffd1a5d13d27/PS_English_2012_Full-Documents.pdf?MOD=AJPERES) (accessed February 2019)

Box 2.

## BOX 2: PERFORMANCE STANDARDS REQUIREMENTS FOR STAKEHOLDER ENGAGEMENT

**IFC PS1: Assessment and Management of Environmental and Social Risks and Impacts:** Stakeholder engagement is an on-going process that may involve, in varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism, and on-going reporting to Affected Stakeholders.

Disclosure of relevant project information: Provide affected stakeholders with access to relevant information on: (i) the purpose, nature, and scale of the project; (ii) the duration of proposed project activities; (iii) any risks to and potential impacts on such stakeholders and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievance mechanism.

**Informed Consultation and Participation:** Conduct an informed consultation and participation process involving a deep exchange of views and information, and an organized and iterative consultation, leading to the project incorporating into their decision-making process the views of the affected stakeholders on matters that affect them directly, such as the proposed mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

The process should be documented, in particular the measures taken to avoid or minimize risks to and adverse impacts on the affected stakeholders. The stakeholders should be informed about how their concerns have been considered.

**External Communications:** Implement and maintain a procedure for external communications that includes methods to (i) receive and register external communications from the public; (ii) screen and assess the issues raised and determine how to address them; (iii) provide, track, and document responses, if any; and (iv) adjust the management program, as appropriate. In addition, clients are encouraged to make publicly available periodic reports on their environmental and social sustainability.

**Grievance Mechanism for Affected Stakeholders:** Establish a grievance mechanism to receive and facilitate resolution of affected stakeholders' concerns and grievances about the client's environmental and social performance.

**On-going Reporting to Affected Stakeholders:** Provide periodic reports to the affected stakeholders that describe progress with implementation of the project Action Plans on issues that involve on-going risk to or impacts on affected stakeholders and on issues that the consultation process or grievance mechanism have identified as a concern to those stakeholders. After completion of an environmental assessment the consultation and disclosure must continue throughout the life cycle (construction and operation phase) of the project.

Source: IFC Performance Standard 1, January 2012.

Additionally, IFC's *Performance Standard 5: Land Acquisition and Involuntary Resettlement* is especially key to the Project, given the planned land acquisition. PS5 promotes the concept of negotiated settlements to avoid expropriation and the forcible removal of people or land use activities. It also includes requirements regarding community engagement to ensure that affected communities are informed and participate in decision-making processes related to land acquisition.<sup>3</sup>

<sup>3</sup> IFC Performance Standard 5: Land Acquisition and Involuntary Resettlement Paragraph 10. Available at [http://www.ifc.org/wps/wcm/connect/115482804a0255db96fbffd1a5d13d27/PS\\_English\\_2012\\_Full-Documents.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/115482804a0255db96fbffd1a5d13d27/PS_English_2012_Full-Documents.pdf?MOD=AJPERES) (accessed February 2019)

### 2.3.2. Equator Principles

Equator Principles (EPs) III, June 2013 are a risk management framework, adopted by many IFIs, for determining, assessing and managing environmental and social risk in projects. The EPs comprise 10 principles and apply the IFC Performance Standards. The most relevant principles in relation to this SEP are:

- Principle 2: Environmental and Social Assessment;
- Principle 5: Stakeholder engagement;
- Principle 6: Grievance mechanism; and
- Principle 10: Reporting and transparency.

Additional detail regarding the EPs can be found at: <http://www.equator-principles.com/index.php/ep3>

## 3. STAKEHOLDER IDENTIFICATION AND MAPPING

### 3.1. Stakeholders

Stakeholders include individuals or groups that may influence or be affected by the Project, as described in Box 3 below.

#### BOX 3: IFC DEFINITION OF A STAKEHOLDER

*“Stakeholders are persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively. Stakeholders may include locally affected communities or individuals and their formal and informal representatives, national or local government authorities, politicians, religious leaders, civil society organizations and groups with special interests, the academic community, or other businesses.”<sup>4</sup>*

Stakeholders' level of interest is dependent on a number of factors including level of authority, socio-economic context, and cultural factors. As such, a stakeholder identification and mapping process adopted for the Project will be utilized to assist in understanding interest level and ensuring that various stakeholders are engaged with and receive information related to their specific interests in the Project.

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<sup>4</sup> IFC (2007) Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets Available at: [http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC\\_StakeholderEngagement.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC_StakeholderEngagement.pdf?MOD=AJPERES) (Accessed February 2019)

### 3.2. Baseline Context

The stakeholder identification process involves assessing the baseline of the Project Area of Interest (AoI) to determine specific groups within it, including vulnerable groups. It also helps to identify the most appropriate engagement approach and communication method for each group.

Aspects of the baseline context particularly relevant to developing an engagement plan include:

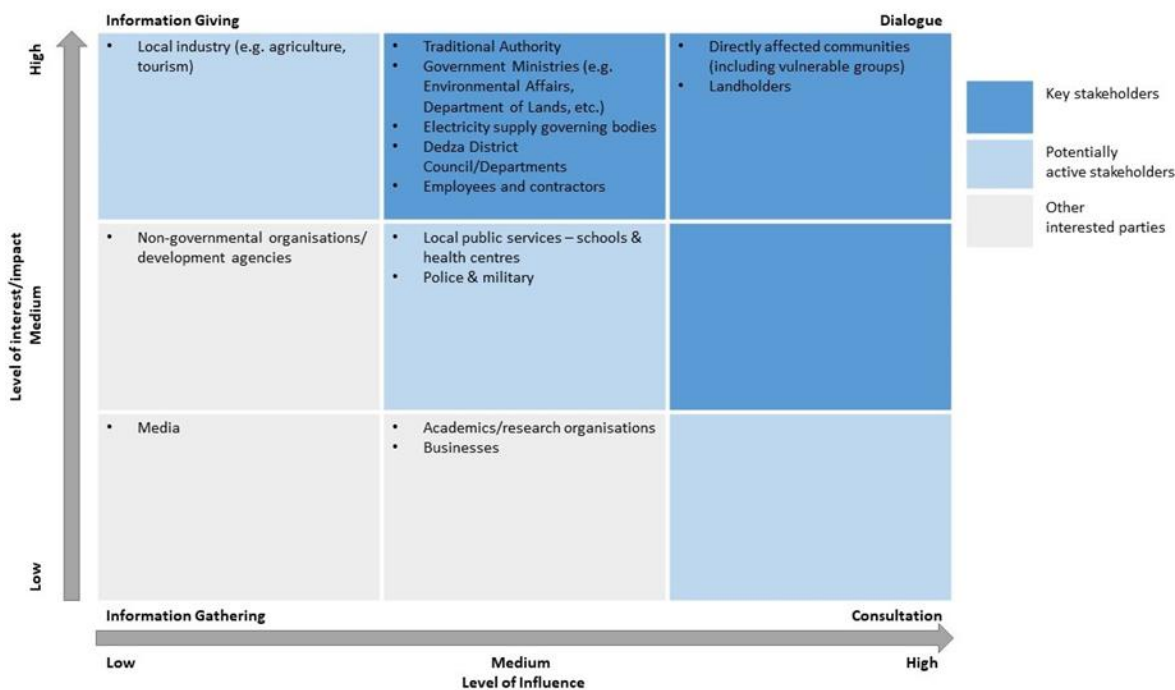
- Population and demographic information;
- Religion, ethnicity and language;
- Vulnerable groups;
- Education and literacy levels; and
- Primary livelihood activities.

At the time of drafting this SEP, baseline surveys were being developed for the Project and will be carried out by local consultants. The context gathered through these surveys will help determine specific stakeholder groups and the engagement approach applicable to each and communication methods, which are presented in Section 4 (Communication Methods).

### 3.3. Stakeholder Mapping

The aim of stakeholder mapping is to understand the stakeholders’ needs and expectations for engagement and consultation in order to tailor engagement to each type of stakeholder. Stakeholders should be categorised and mapped according to their interest, influence and how they are likely to be affected by the Project, as shown in Figure 2.

**FIGURE 2: STAKEHOLDER MAP**



Stakeholder categories include:

- **Key stakeholders:** Stakeholders who have a high level of interest or will be directly affected by the project, for example neighbouring communities;
- **Potentially active stakeholders:** Stakeholders that will have a high level of interest or influence on the project, particularly in relation to legal requirements and those that may be indirectly impacted; and
- **Other interested parties:** Stakeholders that are likely to voice their opinions and/or concerns but unlikely to experience any impacts from the project.

A list of stakeholders identified to date is provided in Table 1. This list is not exhaustive and will be updated as the Project progresses.



**TABLE 1: PROJECT STAKEHOLDERS**

Stakeholder category	Stakeholder	Connection to the Project
National Regulatory Bodies - National bodies are of primary importance in terms of establishing policy, granting permits and other approvals for the Project and monitoring enforcing compliance.	Department of Environmental Affairs (DoEA)	The Project has to comply with the Environmental and Social Impact Assessment (ESIA) requirements and to develop environmental management and monitoring plans. The Department is responsible for issuing the Environmental Certificate after an ESIA has been approved
	Electricity Supply Corporation (ESCOM)	<p>ESCOM are responsible for the procurement, transmission and distribution of electricity to consumers.</p> <p>If the affected communities are to benefit from the electricity by way of community investment, ESCOM may have to play a part in the modalities for household connections.</p> <p>Additionally the Project can draw on ESCOM's experience in relation to land acquisition for electricity related projects.</p>
	Ministry of Lands, Housing, and Urban Development/Department of Lands	<p>The ministry, through the Department of Lands, is a key stakeholder in the Project due to the management of land issues in Malawi. The department is the final approving authority for land acquisition related matters. It represents the Ministry of Lands, Housing and Urban Development on all matters to do with compensation and resettlement. As such the department has the authority to issue land leases/ registration certificate to JCM.</p> <p>The Ministry also provides land and housing management services to the general public. It draws its mandate from various statutes and policy instruments such as the Land Act.</p>
	Electricity Generation Company of Malawi (EGENCO)	EGENCO are currently the sole generators of electricity in Malawi. The contribution of the project to the alleviation of energy problems will greatly assist EGENCO.
	Malawi Energy Regulatory Authority (MERA)	MERA is the overall regulatory authority for energy in Malawi.

Stakeholder category	Stakeholder	Connection to the Project
National Government Ministries	Ministry of Gender and Social Welfare (MoGSW)	MoGSW has an interest in the social welfare of the people throughout the country. Therefore, they will be interested in how the Project is managing impacts on vulnerable groups, including women.
	Ministry of Education, Science and Technology (MoEST)	MoEST will be interested in any access related constraints resulting from the Project as well as any skills training and education related community investment that the Project may support.
	Ministry of Local Government and Rural Development (MLGRD)	MLGRD provides a link between the central and local governments in Malawi and would thus be interested in ensuring district authorities and other local authorities effectively participate in the development and authorization of the project according to their legal mandates.
	Finance, Economic Planning and Development Department (FEPDD)	Formulates economic fiscal policy and manages financial material resources for the Government for Malawi in order to realize balanced and sustainable economic growth to reduce poverty.
	Natural Resources, Energy and Mining Department (NREMD)	The ministry ensures sustainable development, management and utilisation of energy, minerals and monitoring geo-hazards for socio economic development.
	District Commissioner (DC)	The DC is the overarching local authority for all the development projects in the district. The DC also has the authority to issue the project planning Permit (on behalf of the Department of Physical Planning).  Additionally, the DC oversees the compensation process for all projects within the District, including payment of compensation and monitoring related activities. The DC's office works hand in hand with the Community Development Officer on matters related to social aspects including community mobilisation and sensitisation on such projects.
	Ministry of Irrigation and Water Development/ Water Department (MoIWD)	The Water Department is responsible for provision of water supply services including piped rural water supply schemes and boreholes. The Department must be engaged in relation to water use by the Project and any water-related CSR projects resulting from the Project. A water abstraction permit will be required from the Water Resources Authority if the Project requires a borehole or abstraction of surface water for construction and/or operational purposes.
Ministry of Labour (MoL)	The MoL issues the Workplace Registration Certificate as mandated by the Occupational Safety Health and Welfare Act. It is also responsible for monitoring of workers' health and safety during construction and operation.	

Stakeholder category	Stakeholder	Connection to the Project
Community level – including: <ul style="list-style-type: none"> <li>• Kachindamoto</li> <li>• Chinyanipa</li> <li>• Dzoya</li> <li>• Kalumo</li> <li>• Nsamala</li> <li>• Kapesi</li> <li>• Chisaka</li> <li>• Chitseko</li> </ul>	Project affected communities including residents in surrounding settlement, land owners and users	Households and communities that will be directly or indirectly affected by the proposed Project activities. This includes people living on the affected land either by direct land take or by social and environmental impacts.
	Chiefs/Traditional authorities Village heads	Local community leaders act as representatives of their local community. Meeting with Traditional Authorities will follow local practices and be held prior to any wider communication in order to respect the political and social structure.
Vulnerable groups	May include: <ul style="list-style-type: none"> <li>• Women headed households</li> <li>• Children headed households</li> <li>• Elderly, physically or mentally disabled</li> <li>• Youth</li> <li>• Low-income household</li> </ul>	Vulnerable groups may be disproportionately affected by the proposed Project by virtue of socio-economic status or physical abilities and are therefore less resilient to change. A vulnerability assessment will be required for the Project to identify specific vulnerabilities in the Project area.
Civil society groups	Community based organisations (CBOs) and cooperatives	Organisations that may be impacted by the Project or that the Project can work with on livelihood development activities.
Non-Governmental Organisation(NGO)/Institutions/Academic	Includes international, national and local NGOs covering biodiversity/conservation, human rights, gender and child related issues	NGO and academic institutions are able to influence the success of projects through advocacy and negative media attention. The Project will identify and engage relevant NGOs and institutions to keep them informed about the Project. They may also act as a partner in implementing livelihood or community investment programmes.
Commerce and Industry	Local businesses / potential suppliers and contractors	Will be interested in procurement opportunities in relation to the Project. They may also create cumulative impacts. As such the Project is required to identify industries in the local area and aim to collaborate with them where appropriate.

## 4. COMMUNICATION METHODS

### 4.1. Introduction

During engagement activities, a variety of methods will be employed to engage with specific groups based on their level of authority, social economic context, cultural and other factors such as level of education and literacy.

Although English is the official language in Malawi, Chichewa is the national language spoken by 57% of the population.<sup>5</sup> According to 1998 Population and Housing Census (the latest data regarding language), 91% of the population in the Central Region, which includes Dedza district, uses Chichewa as the language of communication in the household, while Chitumbuka and Chiyao (about 3 percent each) were the other languages that were commonly used for communication in households in the Central Region.<sup>6</sup> The upcoming socioeconomic baseline surveys will verify which languages are used in households likely to be specifically affected by the Project.

At the time of the 2008 Population and Housing Census, 89.97% of males and 81.14% females between the ages of 15 to 24 in Malawi were literate.<sup>7</sup> At the District level, Dedza's literacy rate was just 49% (54% of males and 43% of females), representing the second lowest literacy rate of all the districts in the country.<sup>8</sup> This shows that there are clear gender disparities in educational achievement.

### 4.2. Communication Methods

Figure 3 provides an overview of the methods that will be used to disseminate information to stakeholders based on the stakeholders group and literacy levels. Additionally, meetings may be held in a variety of formats to ensure that engagement is inclusive and provides a platform for opinions and concerns to be voiced openly.

Meetings are most likely to be in English in Lilongwe and at the government level in Dedza, depending on the level of authority. Meetings in communities and at the local level should primarily be in Chichewa.

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<sup>5</sup> The language spoken in Malawi.-study country.com. Available at <http://www.studycountry.com/guide/MW-language.htm> (accessed February 2019)

<sup>6</sup> 1998 Population and Housing Census. Available at [http://www.nsomalawi.mw/images/stories/data\\_on\\_line/demography/census\\_98/final\\_report.pdf](http://www.nsomalawi.mw/images/stories/data_on_line/demography/census_98/final_report.pdf) (accessed February 2019)

<sup>7</sup> Education and Literacy Report. Available at [http://www.nsomalawi.mw/images/stories/data\\_on\\_line/demography/census\\_2008/Main%20Report/ThematicReports/Education%20and%20Literacy.pdf](http://www.nsomalawi.mw/images/stories/data_on_line/demography/census_2008/Main%20Report/ThematicReports/Education%20and%20Literacy.pdf) (accessed February 2018)

<sup>8</sup> Education and Literacy Report. Available at [http://www.nsomalawi.mw/images/stories/data\\_on\\_line/demography/census\\_2008/Main%20Report/ThematicReports/Education%20and%20Literacy.pdf](http://www.nsomalawi.mw/images/stories/data_on_line/demography/census_2008/Main%20Report/ThematicReports/Education%20and%20Literacy.pdf) (accessed February 2018)

**FIGURE 3: MEETING FORMATS**

The type of meeting held is dependent on the topic area and objectives and therefore should be assessed against these definitions.

**TABLE 2: COMMUNICATION METHODS**

Tool	Purpose	Stakeholder Groups	Use
PowerPoint presentations	Detailed presentation to provide technical information regarding the Project	<ul style="list-style-type: none"> <li>National regional and local authorities</li> <li>NGOs Key Informants/ Professionals</li> </ul>	<ul style="list-style-type: none"> <li>Used at formal meetings</li> </ul>
Basic flipbook/pictorial presentation	Presentation of general information regarding the Project	<ul style="list-style-type: none"> <li>Settlements</li> <li>Vulnerable groups</li> </ul>	<ul style="list-style-type: none"> <li>Used at settlement meetings and focus group discussions</li> </ul>
Videos	To demonstrate what the Project will look like and how it works in reality	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>Can be used at all types of meetings</li> </ul>
Flyers/leaflets/background information document	Allows stakeholders to take information home and have a line of contact with JCM should they have any questions	<ul style="list-style-type: none"> <li>All stakeholder groups</li> </ul>	<ul style="list-style-type: none"> <li>Distributed at meetings and placed in accessible public locations (e.g. community centre, health centre and schools)</li> </ul>
Reports and plans	Technical written reports and management plans that present details on potential impacts on the Project and how JCM are managing the environmental and social aspects of the Project to minimise adverse impacts and maximize benefits	<ul style="list-style-type: none"> <li>Government, professional, academics and civil society/public</li> </ul>	<ul style="list-style-type: none"> <li>Available online, Project office and public places</li> </ul>
Newsletters	Contains information regarding Project developments, employee news, community investment etc.	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>Available at Project offices and public places</li> </ul>
Internet	Provides general detail regarding Project development	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>Global or national access to information</li> </ul>
Questions and answer guide	List of most frequently asked questions to be used as guidelines to respond to any question from stakeholders	<ul style="list-style-type: none"> <li>Internal use by Project staff to align responses to questions. Can also be accessible on the Project website if appropriate</li> </ul>	<ul style="list-style-type: none"> <li>Available online if appropriate</li> </ul>
Media - Television and radio advertising	A short television and radio advertisement on local television or radio channel to disseminate information Project information and details of meetings	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>National or local dissemination of information</li> </ul>

Tool	Purpose	Stakeholder Groups	Use
Posters	Announce the date/ time and venue of meeting	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>In central locations within settlements or in public places</li> </ul>
Meeting evaluation	Process to gather information to evaluate the success of meetings and collect further feedback / comments not collected during the meeting	<ul style="list-style-type: none"> <li>All</li> </ul>	<ul style="list-style-type: none"> <li>For literate groups feedback can be provided using a meeting feedback form (see Section <b>Error! Reference source not found.</b> (monitoring) after the meeting</li> <li>For illiterate groups, this can be done verbally or by using creative methods such as pictorial methods</li> </ul>

## 5. STAKEHOLDER ENGAGEMENT STRATEGY

### 5.1. Introduction

This section sets out the various key stages of engagement that are required throughout the life of the Project.

#### 5.1.1. *Engagement Background*

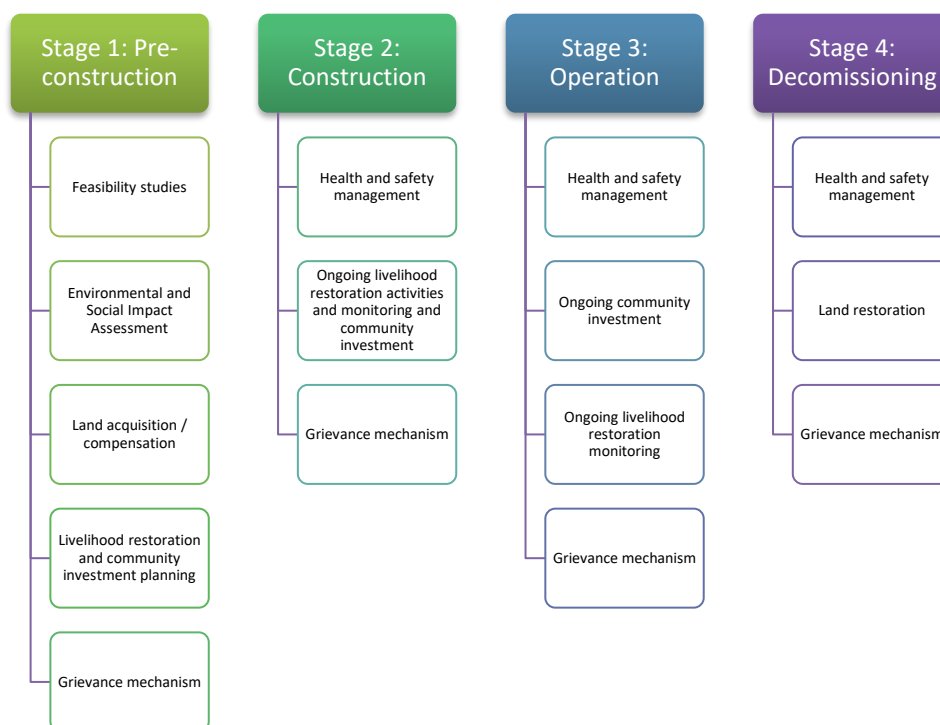
Stakeholder engagement undertaken in support of the Project so far has primarily been related to initial engagement involving meetings with the Regional and District Lands Officers to gather information on the land acquisition and compensation process in Malawi in relation to the Project. Additionally, meetings have been held with representatives of communities with residents that have use rights to land (i.e., landholders) within the 92 ha solar plant site (including Group Village Headman Pitala, Village Headmen, and the Project Landholder Committee set up by the communities to represent the landholders) as well as community members themselves. Early engagement with the communities and their representatives has focused on forming mutual understanding of the Project plans and the community members concerns and aspirations surrounding the Project, including local employment and community investments.

### 5.2. Stakeholder Engagement Strategy

Figure 4 below shows four key stages of engagement that are required throughout the life of the Project. Within each of the stages are specific topic areas that need to be covered. It is, however, important to recognise that stakeholder engagement is an ongoing process of communication in order to build relationships and creating benefits for both the Project and affected communities. Therefore, meetings beyond these activities may be required to ensure that stakeholders, in particular affected communities are kept informed about Project developments.



FIGURE 4: STAGES OF ENGAGEMENT



Descriptions of the stages of engagement are provided below.

### 5.2.1. Stage 1: Pre-construction

The pre-construction stage is key to obtaining a social licence to operate and includes a number of engagement activities. At this stage it is also very important to understand who the stakeholders are and their relationship with the Project.

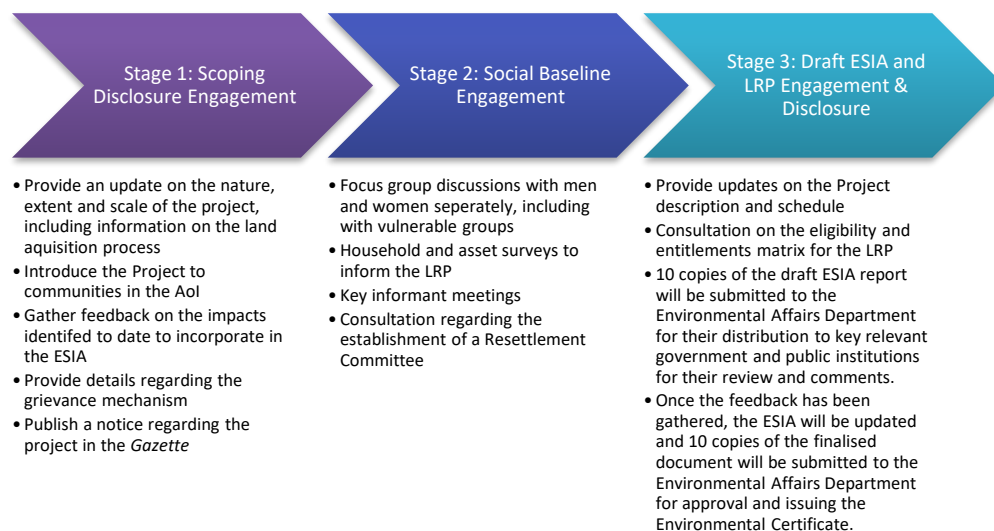
- **Feasibility studies:** At the early stage of the Project, feasibility studies should include consultations with the Traditional Authority, chiefs/headmen and representatives that are responsible for affected communities to understand the key risks and sensitivities that the Project needs to consider from an impact and cost perspective. At this stage, and to the extent possible, it is also important to understand perceptions regarding land acquisition.
- **Environmental and Social Impact Assessment:** The ESIA is required by the government to obtain a permit for the Project. It is also a key requirement of the IFC. Specific stages for engagement around the ESIA are detailed below and illustrated in Figure 5.2.
- **Land acquisition/compensation:** The Project requires a plot of approximately 92 ha to construct the Project, land that is currently used by surrounding communities for agricultural purposes and will thus trigger economic displacement. JCM will comply with legal requirements in Malawi to compensate those affected by the land take, and

additionally will apply IFC's PS5 including requirements to engage with community members in the planning and decision-making process regarding the land acquisition. This will include relevant information sharing to ensure communities are informed of the process, their rights and responsibilities, and the anticipated timeline. Communities will be engaged in an iterative fashion to prepare them for the land acquisition, and consult them on their views regarding the process, compensation measures and other details so that JCM can incorporate their views in the planning.

- **Livelihood restoration/community investment planning:** As a result of economic displacement, to mitigate negative impacts and deliver development benefits, a gender-focused Livelihood Restoration Plan (LRP) is required. This includes development of livelihoods programming in collaboration with affected communities, chiefs, local government and other key stakeholders. This will ensure that affected persons participate in the decision-making process regarding priorities, needs and feasibility of such programmes. Additionally, communities should be active in deciding what investment activities the Project should engage in as well as take responsibility for ownership and implementation with the support of specialist organisations. Specific stages for engagement around the LRP are detailed below and illustrated in Figure 5.
- **Grievance mechanism:** A grievance mechanism should be established at this stage of the Project to provide an accessible and culturally appropriate platform for stakeholders to express any grievances and receive a response from JCM, as well as provide comments/suggestions regarding the issue of concern. A grievance mechanism is provided in Section 6 of this SEP.

### ***ESIA and LRP Stakeholder Engagement Process***

In order to avoid stakeholder fatigue there are three main stages of engagement that form the ESIA and LRP process. These include engaging on the draft scoping report as well as presenting the Project and gathering feedback communities in the direct and indirect AoI. Additionally, a third stage of engagement will be undertaken on drafts of the ESIA and LRP, which will include consultation on the identified impacts and associated mitigation measures that have been proposed. Engagement for the ESIA process is presented in Figure 5 below.

**FIGURE 5: ESIA AND LRP ENGAGEMENT**

### 5.2.2. Stage 2 and 3: Construction and Operation

Construction phase stakeholder engagement will be used to monitor the success of the mitigations that have been established for this stage of work, respond to grievances and identify alternative mitigation measures where required.

During this period meetings with the communities shall be held on a regular basis. Meetings will include Project updates, health and safety sensitisation and obtaining feedback regarding the Project and maintenance of the site office.

As operational impacts will be significantly less than construction (mainly visual due to the presence of the solar farm), affected communities will be reviewed to reduce the number meetings to be held on a regular basis. Meetings will include Project updates, health and safety, and obtaining feedback regarding the Project and the grievance process. As the operational phase progresses and the community adjusts to the change in landscape, it is likely that grievances will significantly reduce.

Table 3 provides an overview of consultation activities and their frequency during Stages 2 and 3 of consultation.

**TABLE 3: STAGES 2 AND 3: CONSTRUCTION AND OPERATION ENGAGEMENT ACTIVITIES**

Stakeholder Group	Information Requirements	Method of Communication and Frequency	
		Construction	Operation
Government (national, regional, district)	<ul style="list-style-type: none"> <li>Project developments</li> <li>Livelihood restoration/land take issues</li> <li>Other Project approvals</li> <li>Community investment</li> </ul>	Ongoing as required	Ongoing as required
Traditional Authorities	<ul style="list-style-type: none"> <li>Project updates</li> <li>Represent community grievances</li> <li>Community investment</li> </ul>	Monthly meetings	Monthly for the first 6 months, then quarterly
Directly Affected Communities	<ul style="list-style-type: none"> <li>Project updates</li> <li>Report grievances</li> </ul>	<p>Community meetings in areas where construction is taking place at least two weeks prior to work starting and monthly thereafter</p> <p>A community liaison/grievance officer shall be based in key construction locations.</p>	<p>Monthly for the first 6 months, then quarterly</p> <p>Radio updates and flyers shall be disseminated when required</p>
Community Based Organisations	<ul style="list-style-type: none"> <li>Project updates</li> <li>Report grievances</li> </ul>	<p>Updates via the local radio</p> <p>Quarterly dissemination of flyers</p>	Radio updates and flyers shall be disseminated when required
Employees/Contractors	<ul style="list-style-type: none"> <li>Project updates to keep staff engaged in their working environment</li> <li>Report issues related to labour and working conditions</li> <li>Management/monitoring of staff grievances</li> </ul>	<p>Weekly team meetings</p> <p>Notices posted around the site</p> <p>Staff newsletters, if applicable</p>	<p>Weekly meetings for all staff working at the site</p> <p>Notices posted around the site</p> <p>Staff newsletters, if applicable</p>
Non-Governmental Organisations	<ul style="list-style-type: none"> <li>Project updates</li> <li>Community investment</li> </ul>	Email updates/newsletter as required.\	Email updates/newsletter as required
Local public services	<ul style="list-style-type: none"> <li>Project updates</li> <li>Report issues related to public service grievances</li> </ul>	Quarterly meetings, with relevant stakeholders	Email updates/newsletter as required
Media	<ul style="list-style-type: none"> <li>Project updates</li> </ul>	Email updates/newsletter as required	Email updates/newsletter as required

Stakeholder Group	Information Requirements	Method of Communication and Frequency	
		Construction	Operation
Local businesses	<ul style="list-style-type: none"> <li>Project updates</li> <li>Management of cumulative impacts</li> </ul>	Quarterly meetings, with relevant stakeholders  Updates via the local radio  Quarterly dissemination of flyers	Annual meetings  Email updates/newsletter as required
Academics and research institutes	<ul style="list-style-type: none"> <li>Project updates</li> </ul>	Email updates/newsletter as required	Email updates/newsletter as required

### 5.2.3. Stage 4: Decommissioning

The impacts of decommissioning are not likely to be significant since the operational impacts will be small. However, engagement still needs to be considered as communities will have evolved over the Project lifespan. As such, prior to decommissioning, the developer will prepare a Site Closure Plan. The Project will consult with stakeholder groups, to ensure that feedback regarding the impacts of decommissioning are considered in the Plan and ensure, among other, that land restoration has been completed.

## 6. GRIEVANCE MECHANISM

### 6.1. Overview and Purpose

The purpose of the Project's Grievance Mechanism is to provide stakeholders with a clear process through which to raise issues, concerns or complaints and to have these matters dealt with in a fair and equitable manner. This includes ensuring that all grievances that have been received are acknowledged and logged and that the complainant knows what to expect in terms of the grievance process and timelines for response.

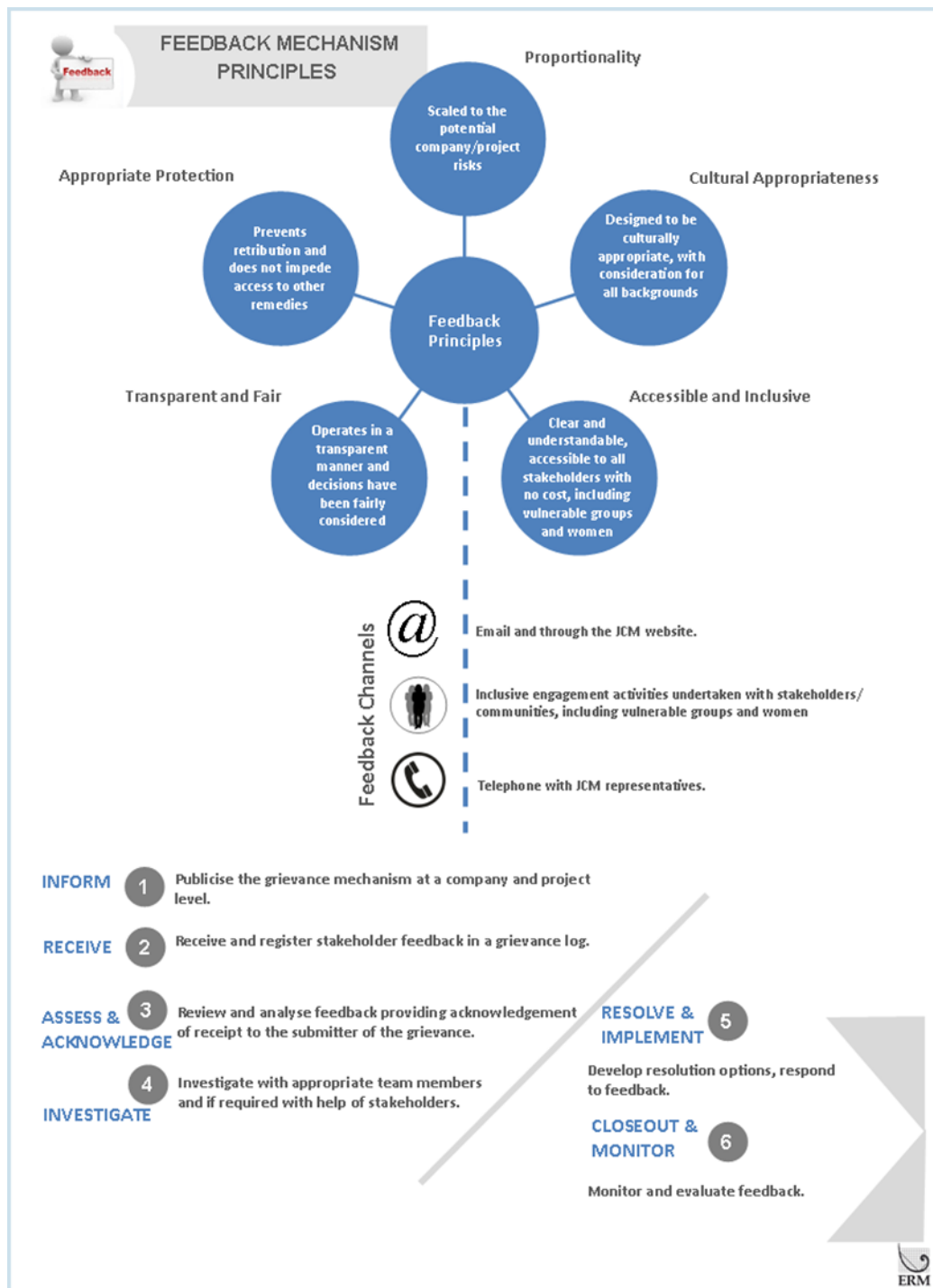
A grievance is an issue, concern, problem, or claim (perceived or actual) that an individual stakeholder or community group has related to JCM and its contractors' activities. Grievances may relate to any aspect of the Project, and could be related to activities that take place on the Project site or are otherwise directly related to the Project. They might be felt and expressed by a variety of parties including individuals, groups, communities, entities, or other parties affected or likely to be affected by the social or environmental impacts of the Project. Types of grievances may vary and may be related to injuries/damage, concerns about routine Project activities, perceived incidents or impacts or requests for more information/clarity on Project activities. Ongoing information dissemination and relationship building can significantly minimise the number of grievances raised, as well as reduce social risk resulting from the time and budget required to resolve issues at a later stage.

The primary objectives of the Project Grievance Mechanism are to:

- Provide a predictable, transparent, and credible process to all parties for resolving grievances, resulting in outcomes that are fair, effective, and lasting;
- Build trust as an integral component of broader community relations activities; and
- Enable systematic identification of emerging issues and trends, facilitating corrective action and pre-emptive engagement.

The key principles of an effective grievance mechanism which have been taken into account in the development of the Project's Grievance Mechanism are illustrated in Figure 6.

**FIGURE 6: GRIEVANCE PRINCIPLES**

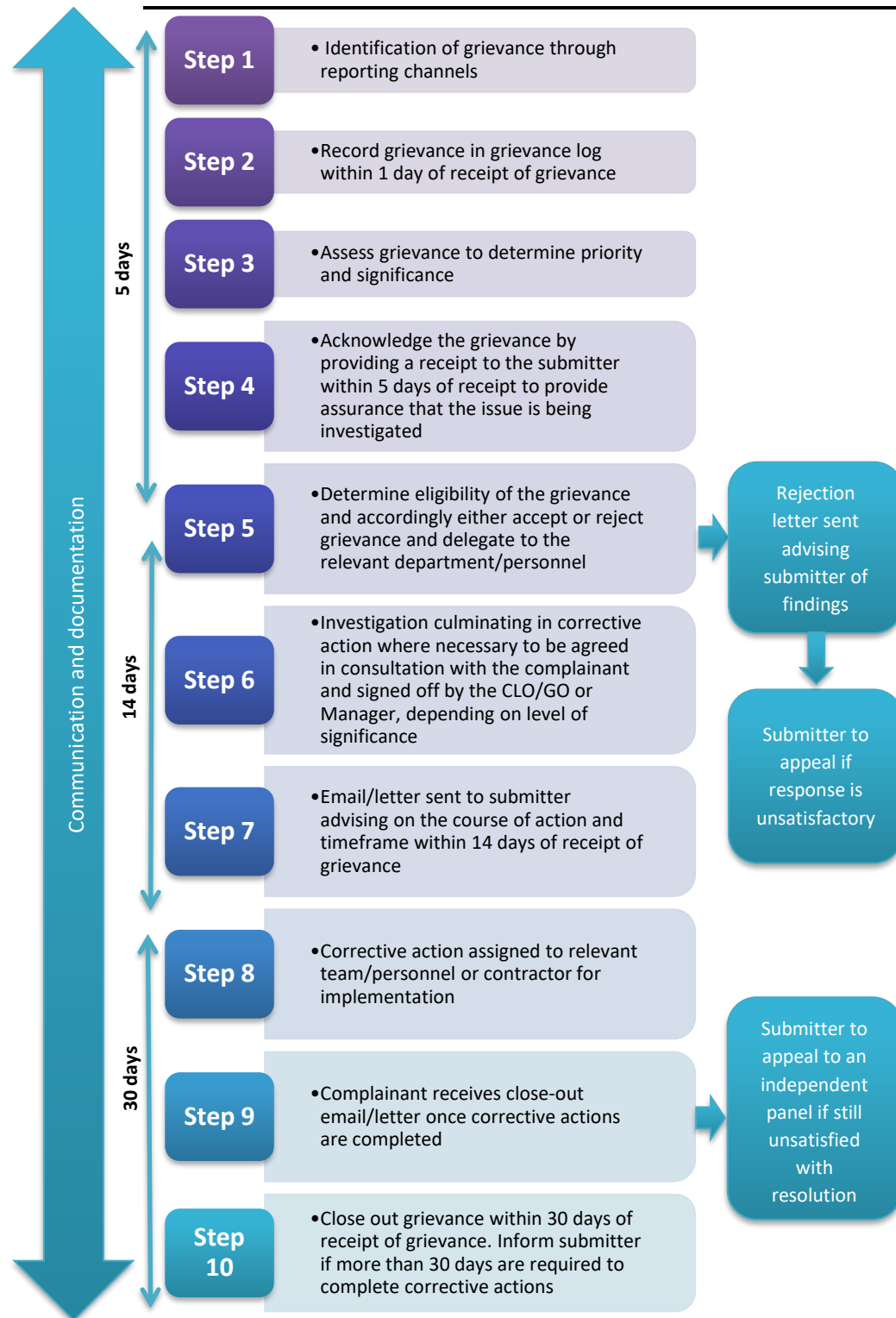


## 6.2. Grievance Process

A formal grievance procedure based on best international practice will be implemented based on the principles detailed above and the process provided in Figure 7 below. The Grievance Mechanism shall be implemented by a Community Liaison Officer (CLO)/Grievance Officer (GO) or similar who will be based at a site office during key Project phases, primarily construction, to ensure that the local community including vulnerable groups are able to easily raise issues. Presenting a grievance through the Project's Grievance Mechanism does not in any way preclude complainants from pursuing other legal action within their rights; however, JCM hopes that by providing for this mechanism most complaints can be dealt with effectively at the Project level.



**FIGURE 7: GRIEVANCE PROCESS**

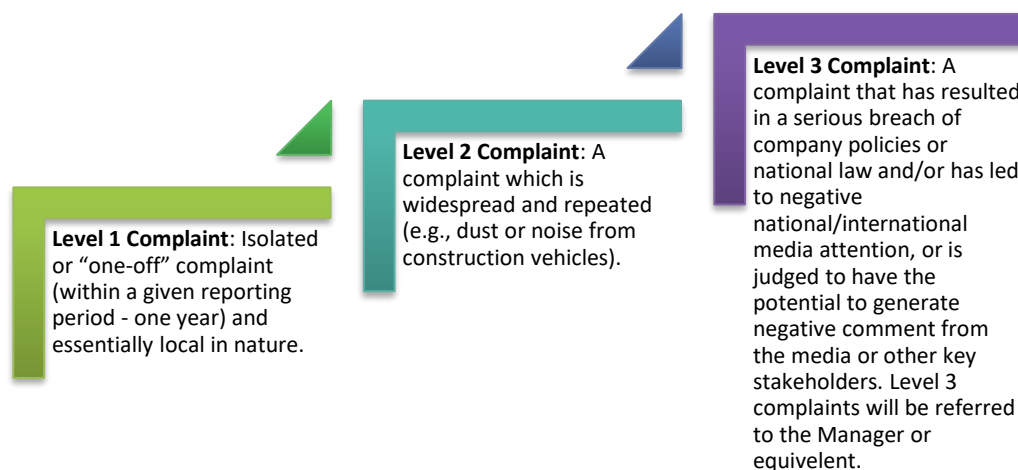


The grievance mechanism will be publicly communicated to stakeholders and they will be made aware of the process, their rights to submit grievances, and how the mechanism will function.

Complaints will be submitted to the CLO/GO directly via telephone, letters, site offices, and via email where accessible. In addition to any original documentation submitted by the complainant, all grievances shall be recorded by the CLO/GO using either the Grievance Record Short Form or Grievance Long Form (templates provided in Annex A) depending on the nature of the grievance.

On receipt of the grievance the CLO/GO will log the complaint in a grievance log (template provided in Annex A). The grievance is then reviewed by the CLO/GO who assesses the significance in order to prioritise the grievance. The significance criteria are presented in Figure 8.

**FIGURE 8: SIGNIFICANCE CRITERIA**



Level 1 and 2 complaints will be managed by the CLO/GO. Level 3 complaints will be managed in discussion with the in-country manager.

The submitter will receive acknowledgement of receipt of the grievance as soon as possible, and no later than within 7 days of receipt. Such communication will also provide assurance that the grievance is being dealt with as well as a timeframe in which a response could be expected.

The next step after acknowledging receipt will be for the CLO/GO to proceed with an eligibility determination of the grievance as outlined below.

- a. Eligible grievances include all those that are directly or indirectly related to the Project and that fall within the remit of the Grievance Mechanism as outlined in Section 6.1 above.

- b. Ineligible Complaints may include those that are clearly not related to the Project or its contractors' activities, whose issues do not fall within the remit of the Grievance Mechanism or where other JCM or community procedures would be more appropriate to address the grievance.

The outcome of the eligibility determination should be communicated to the submitter promptly. For ineligible grievances, a full explanation as to the reasons for the rejection must be included in the communication as well as an explanation as to the ability to appeal the decision if the complainant does not agree. For eligible grievances, an estimation as to the timeline for resolution will be included in the communication.

For those grievances eligible to proceed, an investigation will be carried out. The CLO/GO will involve other departments, contractors and senior management (e.g., environment, site management, engineering, etc.) in the process as required in order to fully understand the circumstances that led to the grievance being raised. This will be performed in a timely manner to avoid delaying the resolution of a grievance. The Project will aim to resolve any grievances within 30 days from the date that it was received; however, the timeframe could be extended to 60 days for more complex grievances, if required. The investigation methods will differ depending on the nature of the complaint but may generally involve activities such as interviews with the complainant and other witnesses/relevant parties, documentation review, and/or third party professional assessments (for example, in the case of property damage by a local repairman, or a doctor in the case of injury).

Resolution will require discussion with the complainant to ensure the proposed action is reasonably likely to resolve the complaint. Where possible, grievances will be addressed directly by JCM. The resolution proposal shall be respectful and considered, including rationale for the decision and any data used in reaching it. If wider consultation is necessary, grievances will be forwarded to a third party. This third party should be neutral, well respected, and agreed upon by both JCM and the affected parties. These may include public defenders, legal advisors, local or international NGOs, or technical experts. In cases where further arbitration is necessary, appropriate government involvement will be requested.

Once the relevant parties decided upon the corrective action, it will be approved and signed off by the CLO/GO, or in-country manager or equivalent, if required. The submitter will receive an email/letter within 14 days of submission of the grievance confirming the corrective action to resolve the issue. The relevant parties will then implement the corrective action and aim to close-out the grievance within 30 days of receiving the grievance or in accordance with an expanded timeline if such has been defined. The submitter will be informed if there are any delays.

### **6.3. Monitoring and Reporting**

JCM will regularly monitor the Project Grievance Log to ensure effective management of grievances, implementation of corrective actions and generally with a view to spotting any systemic issues that may arise. This monitoring will be carried out on a routine basis as part of general Project monitoring.

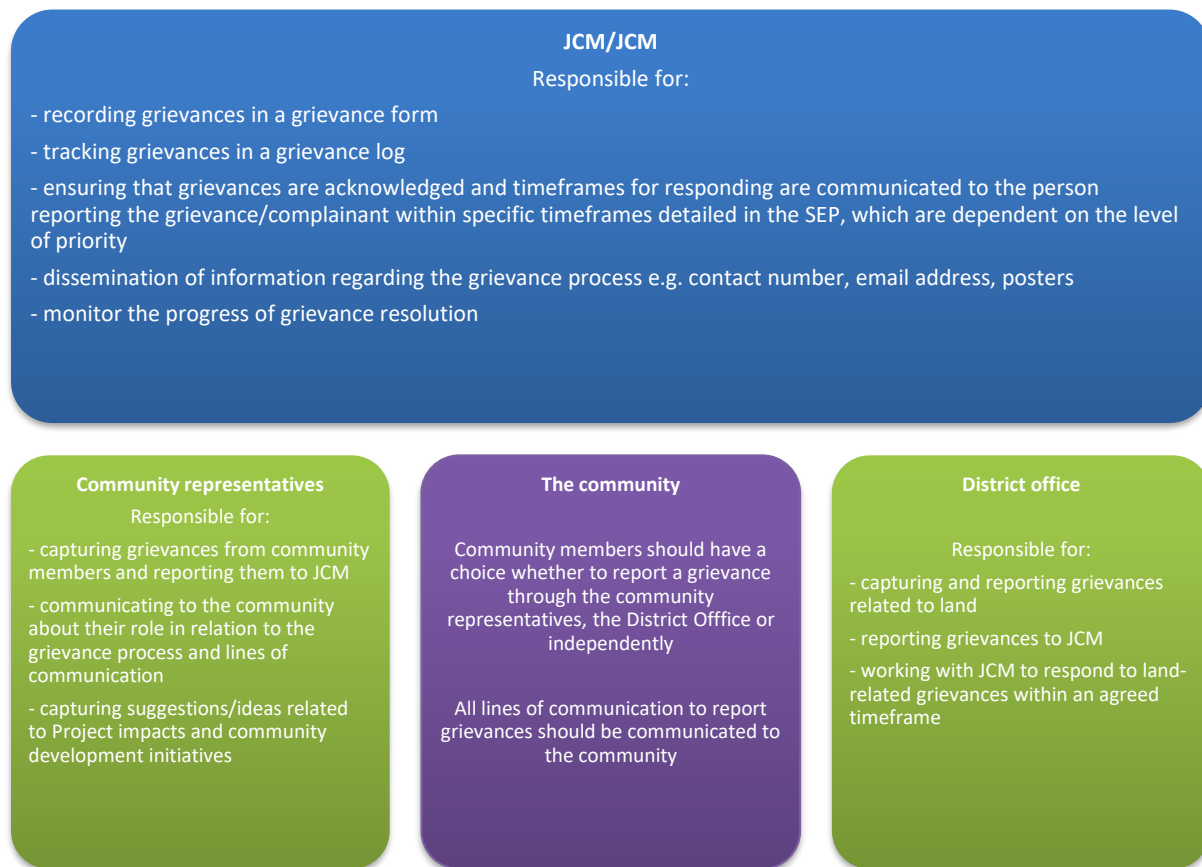
Periodic internal reports will be prepared by the CLO/GO for distribution to the management team. Such reports will help in monitoring the effectiveness of the Grievance Mechanism and will generally include:

- The number of grievances logged in the proceeding period by level and type.
- The number of stakeholders that have come back after 30 days stating they are not satisfied with the resolution.
- The number of grievances unresolved after 60 days by level and type.
- The number of grievances resolved between JCM and complainant, without accessing legal or third party mediators, by level and type
- The number of grievances of the same or similar issue
- JCMs' responses to the concerns raised by the various stakeholders.
- The measures taken to incorporate these responses into project design and implementation.

The frequency for internal reporting will be defined by the CLO/GO in consultation with JCM Management.

#### **6.4. Grievance Mechanism Roles and Responsibilities**

When establishing a grievance process it is important to establish clear roles and responsibilities so that complaints and queries are responded to efficiently, in order to maintain relationships with the community. The figure below outlines responsibilities of key actors relevant for managing grievances.

**FIGURE 9: GRIEVANCE ROLES AND RESPONSIBILITIES**

This SEP will be updated once the grievance committee is formalised.

## 7. ROLES AND RESPONSIBILITIES

### 7.1. Principle of Team Organisation

The community relations team shall follow the key principles outlined below.

- **Overall responsibility and clear reporting lines:** Clear reporting lines and internal lines of communication will be discussed and agreed with the senior managers to ensure that the team has clear roles and responsibilities.
- **Defined responsibilities of third parties regarding communication:** the role of third parties/contractors in communicating to stakeholders will be clearly defined and regularly monitored to ensure that all interactions and engagement are culturally appropriate, do not exclude particular stakeholder groups (such as women, and vulnerable groups), and do not raise false expectations that could lead to perceived promises or commitments without obtaining prior agreement.
- **Hire, train and deploy the right personnel:** all staff interacting with stakeholders will be able to develop good working relationships with groups, from government to settlement level, in order to build maintain and trust and cooperation. Criteria of CLOs (or equivalent) engaging with stakeholders on a daily basis will include:
  - National staff from the local areas, fluent in Chichewa;
  - Staff with good communication and listening skills;
  - Open-mindedness and respect for the views of others;
  - Proactive mind-set and good problem solving skills; and
  - Commitment to the position and an understanding of JCM's objectives and approach to governance.

Training is important to maintain the skills and capacity of the community relations team. This includes communication skills to manage expectations and deliver key messages, and computer literacy to manage and maintain engagement records and grievance logs.

#### 7.1.1. Community Relation Functions

Details of core social performance functions in order to manage Project risks and communications are detailed in Box 4. However as the site is relatively small, JCM will likely consolidate these roles.

#### BOX 4: ROLES AND RESPONSIBILITIES

**Social Performance Manager (developer or Project level):** Primarily responsible for developing and implementing policies and procedures for managing land acquisition, community engagement, community investment etc. Other responsibilities include recruitment of key staff, developing and implementing training programmes, monitoring and review of social performance related activities and approval of budgets.

**Community Liaison/Engagement Manager:** Responsible for managing the in-country Community Liaison Team, ensuring sufficient resources are made available for designated functions and ensuring that the stakeholder engagement process is effective and is being implemented in line with the approach set out in this SEP.

**Community Investment/Fund Officer:** Primarily responsible for establishing and implementing community investment projects based on community needs assessments. This includes maintaining stakeholder relationships with partners for delivery of investment projects, monitoring and evaluation of projects, keeping informed with national and regional priorities, to align investment initiatives with the overall country strategy, and managing investment budgets and timelines.

**Community Liaison Officers (or equivalent):** Primarily the face of the Project responsible for building effective and trusting relationships with stakeholders/communities through regular visits and communication regarding the Project in line with this SEP. Other activities include updating stakeholder lists and logging/tracking of activities and reporting grievances and follow up when required.

**Grievance Officers (or equivalent):** Responsible for dissemination of information regarding the grievance process to ensure that it is widely understood among Project affected settlements and logging and resolving grievances in a timely manner, in line with the grievance process and best practice principles. This includes undertaking regular visits to settlements or phone calls with community representatives to encourage use of the grievance process and maintaining a grievance log.

## 8. MONITORING AND EVALUATION

### 8.1. Monitoring

In order to assess the effectiveness of this SEP and associated engagement activities, JCM will implement a data management and monitoring process as part of the overall monitoring of RAP commitment and performance. The reporting/data management and monitoring process will include stakeholder participation and ensure that areas of improvement and stakeholder feedback are addressed.

### 8.2. Reporting Mechanisms

All engagement activities throughout the life of the Project will be documented and filed in order to track and refer to records when required and ensure delivery of commitments made to stakeholders. The following stakeholder engagement records and documentation will be used (primarily by JCM).

- **Stakeholder engagement database /log:** Used to store, analyse and report on stakeholder engagement activities. It will be populated with details on information presented, audience questions, responses and commitments made and actions, and meeting evaluation results, when appropriate. The database will also be used to track frequency of meetings.
- **Meeting template:** Used to collect full meeting minutes to be filled into the stakeholder database.

- **Stakeholders list:** A list including key contacts and contact details (telephone number, email addresses etc.) for identified stakeholders. The list will be updated on a continual basis as additional stakeholders are identified.
- **Grievance log:** To record all grievances received in order to address grievances and record whether it has satisfactorily been closed out, to identify patterns, avoid recurrent problems and improve the JCM's overall social performance.
- **Media monitoring:** Includes monitoring of press and radio stories relevant to the Project.

Templates for the above documents are provided in Appendix A.

All documents will be reviewed on a monthly basis in order to ensure that it is up to date and that required meetings are being held



## **APPENDIX A**

### **Example Stakeholder Engagement Management Templates**

## MEETING MINUTES TEMPLATE

Meeting Minutes Template			
<b>Section 1: Meeting Details</b>			
Location:			
Settlement:			
Traditional Authority:			
District:			
Region:			
Date:			
Project Representatives:			
No of Females:		No of Males:	
<b>Section 2: Meeting Minutes (note relevant questions, responses)</b>			
<b>Section 3: Facilitator Observations</b>			
Insert key observations (level of participation, response to the meeting, general observations):			
<b>Section 4: Follow-on Actions</b>			
Issue Raised	Who by?	Action	
<b>Section 5: Evaluation of Feedback Process</b>			
How many participants took part in the feedback process?			
Insert the number of yes, no, partially responses to each question in the relevant box			
Was the meeting useful?	Yes	No	Partially

<b>Was the information presented in a clear manner and do you feel that you have a good understanding of the project activities and plans?</b>	<b>Yes</b>	<b>No</b>	<b>Partially</b>
<b>Were you able to ask the questions you wanted?</b>	<b>Yes</b>	<b>No</b>	<b>Partially</b>
<b>Was this meeting organised in a way to facilitate your attendance?</b>	<b>Yes</b>	<b>No</b>	<b>Partially</b>

### STAKEHOLDER DATABASE/ACTIVITY LOG (EXCEL SPREADSHEET)

Section 1: Meeting Details	Location	Settlement	District (use picklist)	Traditional Authority (use picklist)	Region (use picklist)	Date of Meeting	Project Representatives (Full name and company)	No of Females	No of Males

Section 2: Meeting Mins	Issue Title (Use picklist)	Participant Question/Comment/Quote	Project Response (If no response required or given, leave blank)	Issue Rating (low/medium/high priority)

Section 3: Facilitator Observations	Insert key observations (level of participation, response to the meeting, general observations):

Section 4: Follow-on Actions	Issue Raised	By Who?	Action

## EXAMPLE GRIEVANCE RECORD SHORT FORM TEMPLATE

Project Grievance Form	
If you wish to remain anonymous, do not complete items 1.1-1.5, 5 and 7.	
1. Statement of Grievance	
1.1 Name of Complainant	_____
1.2 Complainant relationship to JCM	_____
1.3 Complainant Email	_____
1.4 Complainant Telephone	_____
1.5 Complainant Address	_____
1.6 Date	_____
1.7 Location	_____
2. Statement of Grievance	
Please write the nature of the facts of the grievance (what, where, who, when, why).	
_____	
_____	
_____	
3. Legal, Contract, Policy, or Procedural Violation	
Please list which law, contractual clause, policy or procedure was violated (if any)	
_____	
_____	
_____	
4. Remedy Sought	
Please write what remedy you would propose (if any).	
_____	
_____	
_____	
5. Grievance Submission an Acknowledgment of Receipt	
Submitted by:	
_____	_____
Name Surname	Signature
Received by:	
_____	

\_\_\_\_\_  
Name Surname

\_\_\_\_\_  
Signature

**6. Grievance Close-out**

Please write what remedy was implemented in order to address the grievance.

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

**7. Grievance Close-out an Acknowledgment of Remedy**

Complainant

\_\_\_\_\_  
Name Surname

\_\_\_\_\_  
Signature

Close out by:

\_\_\_\_\_  
Name Surname

\_\_\_\_\_  
Signature

### EXAMPLE GRIEVANCE RECORD LONG FORM TEMPLATE

General Information									
Grievance Reference Number			Date Submitted						
Name of Grievance Officer			Target Date for Resolution						
Mode of Grievance Communication (Mark with "X")									
Oral		Phone		Written		E-mail			
Complainant Information									
Complainant Name			Complainant Surname						
Complainant Identification Number			Complainant Gender (Mark with "X")			Male		Female	
Complainant Village / District / TA			Complainant Address						
Complainant Email Address			Complainant Phone Number						
Description of Grievance									
Please provide a detailed description of the grievance. Include details such as date(s), time(s), name(s) of key individuals / organisations, witnesses, frequency of occurrence									
Assessment of Grievance									
JCM Person responsible for assessing the grievance to provide grievance investigation notes here									
Assessors Name		Assessors Surname		Assessors Position		Assessors Signature		Date	
Resolution of Grievance									
Based on the assessment of the grievance please provide what are the conclusions / outcomes and actions to be taken									
Conclusions / outcomes									









Representative Name		Representative Surname		Representative Position				Signature	
Claimant Name		Claimant Surname		Claimant Position		Date		Claimant Signature	



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## Technical Memo: Golomoti Protected Trees

**Document Number: JCM-ESG-MG-PT-1.0**

	Technical Memo: Golomoti Protected Trees	Document No.	JCM-ESG-MG-PT-1.0
		Date	2019-10-07
		Page Number	Page 2 of 7

## Document Version Control

Date	Document Number	Prepared By	Approved By	Notes
2019-10-07	JCM-ESG-MG-PT-1.0	A. Cochran	N/A	Technical Memo: Golomoti Protected Trees

	Technical Memo: Golomoti Protected Trees	Document No.	JCM-ESG-MG-PT-1.0
		Date	2019-10-07
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Annex A      Malawi List of Protect Trees

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## 1 Introduction

JCM intends to build, own, and operate a 27-megawatt (MW) alternating current solar photovoltaic (PV) plant located approximately 0.5 km from the Golomoti Substation and less than 1 km from Golomoti Trading Centre in Dedza District, Malawi (the ‘Golomoti Solar PV’ or ‘the Project’). The Project will be constructed on a 92 hectare (ha) parcel of land and will also include the construction of a short (approximately 0.5 km) transmission line from the Solar Plant Site to the Golomoti Substation, as well as a short (approximately 78.5 m) access road extending from the highway to the northeast (M5) to the Solar Plant Site.

The Project construction will require the clearing, leveling and preparation of the land and as such will necessitate the removal of all vegetation. This will include the removal of trees, some of which are listed as protected under Malawi law. This document presents an account of the protected trees that will need to be removed and the recommended actions in order to sufficiently address their protected status.


## 2 Protected Trees at Golomoti

The Forestry (Amendment) Rules, 2012, as gazetted in Government Notice No.23 (31 December 2012) lists the protected tree species in Malawi (Annex A). Based on the detailed land and asset surveys undertaken by the Ministry of Lands (MoL) (18 July 2019) five tree species have been identified as occurring within the project boundary. Further details of each of these trees are provided in Table 1 below.

Table 1: List of protected trees at Golomoti Solar PV.

Protected Species Common Name & Latin Name	Protected Species Vernacular Name	Tree Use	Number of Specimens in Project Area			Total Number of Specimens
			S	M	L	
Ghost Tree ( <i>Sterculia</i> species)	Mgoza	Bark is used to make ropes	0	0	3	3
Natal Mahogany ( <i>Trichilia emetica</i> )	Msikidzi	Firewood, timber	2	1	0	3
Peacock flower ( <i>Albizia gummifera</i> )	Mtangatanga	Firewood, timber	6	1	59	66
African sausage ( <i>Kigellia Africana</i> )	Mvunguti	Medicinal use	4	0	3	7
Baobab ( <i>Adansonia digitata</i> )	Malambe					2
<b>TOTAL:</b>						<b>81</b>

Of the five species listed in Table 1, the two Baobabs (*Adansonia digitata*) were deemed as irreplaceable and sensitive due to their age, cultural value and keystone role within the ecosystem. Therefore, a separate

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process was undertaken in order to apply the mitigation hierarchy for these two trees (refer to Golomoti Baobab Analysis, 6 October 2019).

The remaining species (Ghost Tree, Natal Mahogany, Peacock Flower, and African Sausage Tree) were not deemed as irreplaceable as they are relatively fast growing (reaching full maturity within 30-50 years) and do not have any specific cultural value apart from the provisioning ecosystem services they provide (refer to ‘Uses’ described in Table 1). These species are however sensitive due unsustainable use and thus their protected status in Malawi.

### 3 Application of the Mitigation Hierarchy

JCM’s Environmental and Social Policy (JCM-P-E&S-0.2, 6 November 2018) commits to compliance with the IFC Performance Standards (PS) on environmental and social sustainability (2012). Of relevance with regards to protected trees is IFC PS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources. PS6 states that ‘as a matter of priority, the client should seek to avoid impacts on biodiversity and ecosystem services’ and ‘Clients are expected to fully exercise the mitigation hierarchy’(Figure 1).

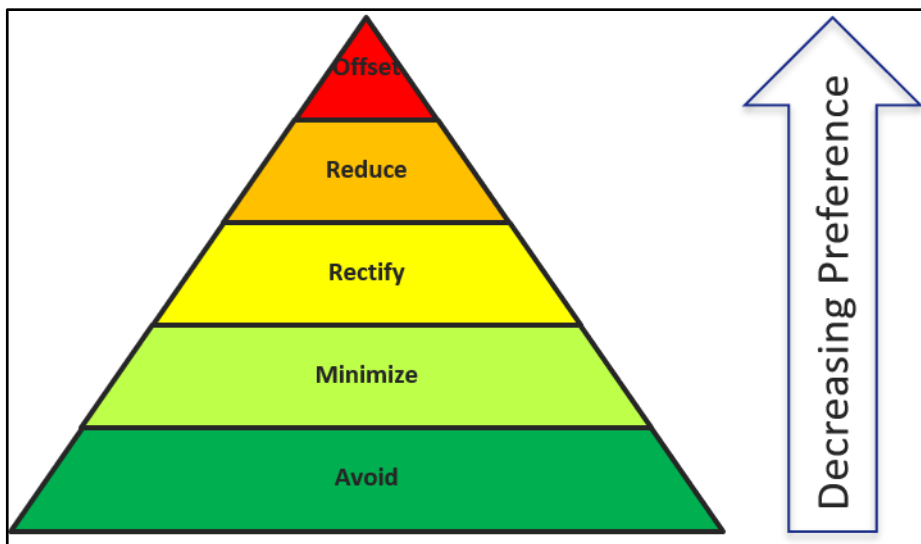



Figure 1: The Mitigation Hierarchy.

JCM undertook a high-level assessment of the feasibility of avoiding the protected trees and found that given the number and distribution of the tree species this would render the Project unfeasible. Therefore, avoidance is not a viable option for the Project to develop further. Additionally, all land intended for the Project development will need to be cleared ruling out the options of minimization, rectification and reduction within the mitigation hierarchy. Thus leaving “Off-set” as the remaining option to mitigate this impact.



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JCM engaged with the ESIA biodiversity specialist (Mr. Jamestone Kamwendo) on the topic of offsetting the impact of removing the protected trees. Mr Kamwendo consulted the Assistant Director of the Department of Forestry (telephone conversation, 27 September 2019) who provided the following feedback on the issue:

- The Project does not need to apply for the permit from the Department of Forestry for the Project to clear the stated trees from the project site only;
- However, the Project will need to adhere to the recommendations that as stipulated in the ESIA Report; and
- The Project will need to ensure that for each individual protected tree cut down during the land clearing, the Project must plant five (5) or more individual seedlings of the same species in areas adjacent to the Project.
- This shall be verified during the monitoring visits to be conducted by the departments of Environmental Affairs and Forestry once the project is implemented.

## 4 Recommendations

It is recommended that the ESIA be updated to include the actions as stipulated by the Assistant Director of the Department of Forestry.



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**Protected tree species in Malawi: The Malawi Gazette Supplement, dated 3<sup>rd</sup> December, 2012**

Government Notice No. 23

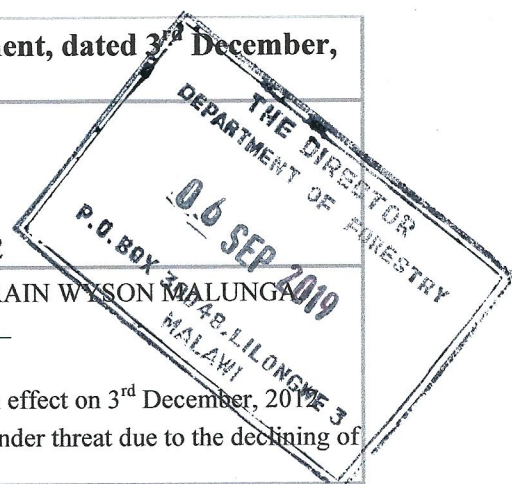
**FORESTRY ACT  
(CAP.63:01)**

**FORESTRY (AMENDMENT) RULES, 2012**

IN EXERCISE of the powers conferred by section 86 of the Forestry Act, I, GRAIN WYSON MALUNGA  
Minister of Natural Resources, Energy and Mining, make the following Rule \_\_\_\_

1. These Rules may be cited as the Forestry (Amendment) Rules, 2012.
2. The following list of trees is declared as Protected Trees in Malawi with effect on 3<sup>rd</sup> December, 2012.
3. The 2002 list of trees has amended to include other species, which are under threat due to the declining of its population as a result of unsustainable utilization.

Botanical Name	Common Name	Vernacular Name
<i>Adansonia digitata</i>	Baobab	Malambe
<i>Adina microcephala</i>	Redwood	Mwenya, Chonya, Mgwenya Mung'ona; Mwina; Mungwina
<i>Azelia quanzensis</i>	Mahogany Bean	Nkongomwa, Msokosa, Mnangaliondo; Msambamfumu; Mkongwa; Chikunda; Ipapa; Mpapa; Mpapadende
<i>Borassus aethiopum</i>	Palm	Mvumo; Mdikwa; Makoma; Mulala
<i>Bridelia micrantha</i>	Coast Goldleaf	Msopa; Chisopa; Mpasa; Mlewezi; Msongamino; Mwisya
<i>Burkea africana</i>	Ash	Mkalati; Kalinguti; Kawidzi; Nakapanga
<i>Colophospermum mopane</i>	Butterfly Tree/Turpentine	Tsanya; sanya; Ntsano; Mopani; Mpani
<i>Cordyla african</i>	Sunbird Tree Wild Mangp	Mtondo
<i>Hyphaene petersiana</i>	Palm	Mgwalangwa; Mkomakoma; Makoma Mulala
<i>Khaya anthotheca</i>	Mahogany	Mbawa; Muwawa; Bulamwiko
<i>Pterocarpus angolensis</i>	African Teak	Mlombwa; Mtumbati, Mbira; Nawazi
<i>Terminalia sericea</i>	Yellow Wood	Napini; Nyapini; Mpini Nalinsi, Mkodoni, Mpululu; Njoyi.
<i>Erythrophleum suaveolens</i>	Red Water tree	Mwavi; Mpapa
<i>Sclerocarya birrea</i>	Amarula tree	Mfulu; Mtondowoko
<i>Brachystegai manga</i>	Miombo	Mpapa



<i>Brachystegia microphylla</i>	Miomo	Mombo; Mchinji
<i>Brachystegia bussei</i>	Miombo	Mtwana; Mseza
<i>Tamarindus indica</i>	Tamarind	Bwemba
<i>Combretum imberbe</i>	Leedwood	Msimbiti
<i>Dalbergia melanoxylon</i>	African blackwood	Mphingo
<i>Widdringtonia whytei</i>	Mulanje cedar	Sida
<i>Kigellia africana</i>	African sausage	Mvunguti
<i>Pericopsis angolensis</i>	Heartwood	Muwanga
<i>Entandrophragma excelsum</i>	Round heartwood	Mukarikari
<i>Entandrophragma caudatum</i>	Mountain Mahogany	Nayalai
<i>Trichilia emetica</i>	Natal Mahogany	Msikidzi
<i>Adina microcephala</i>	Redwood	Mwenya
<i>Ocotea usambarensis</i>	Camphorwood	Bokoto
<i>Strombosia scheffleri</i>	Strombosia	Mvivi
<i>Apodytes dimidiata</i>	White pear	Mzaza
<i>Burttavia nyasica</i>	Burttavia	Mbule
<i>Albizia gummifera</i>	Peacock flower	Mtangatanga
<i>Newtonia buchananii</i>	Forest Newtonia	Mkweranyani
<i>Bombax stollzii</i>	Red cotton tree	Mtonjeranga
<i>Swartzia madagascariensis</i>	Snake bean	Chinyenye



Diospyros mespiliformis	African ebony	Msumwa, Mchenje
Sterculia species	Ghost tree	Msetanyani, Njale, Mgoza, Mpepe
Faurea saligna	Willow beachwood	Musese
Zahna africana	Velvet-fruit zahna	Mtalala, Mtutumuko
Polyscias fulva	Parasol tree	Mpembati, Mwaja, Mwaza
Ficalhoa laurifolia	African wild rubber	Ndopa, Mulganya
Hagenia anthelmintica	African rosewood	Mkerete, Mnkhwale, Mthethe, Chikongolo
Parkia filicoida	African locust bean	Mkundi, Mgundi
Xymalos monospora	Lemon wood	Mulaka, Mpelekeso, Mpekeso
Fagara species	Wild lime	Pupwe, Mkurungu, Mlunguchulu
Cassia abbreviata	Long-tail cassia	Mkungusa, Mkungudza
Juniperus procera	African juniper	Changalume

