



Rovuma
LNG

**SUPPLEMENTAL LAND ACCESS MANAGEMENT
PLAN**

ROVUMA LNG PROJECT

MZLN-EL-RPPLN-00-0008

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LIST OF REFERENCES

1966 Civil Code (Succession Chapter Article 2024–2174)
Community Impact Requirements Document
Decree N° 31/2012 of 8 August – Regulation on the Resettlement Process Resulting from Economic Activities
Decree N° 66/98 of 8 December (and subsequent amendments)
DUAT Encroachment Management Plan
Foreign Corrupt Practices Act (FCPA)
IFC Performance Standard 5 (PS 5) 2012
IFC PS 5
Law N° 10/2004 of 25 August – The Family Law
Law N° 10/88 of December 22 – The Law on the Protection of Cultural Heritage
Law N° 19/2007, of 18 July – The Territorial Planning Law and Regulations
Law N° 19/97 of 1 October – Land Law
Law N° 21/2014 of 18 August – Petroleum Law
Law N° 28/2007 of 1 December – the Tax Code on Succession and Gifts
Law N° 3/2001 of 21 February – Petroleum Law (Previous Version)
Project's Community Grievance Procedure
Ministerial Diploma N° 155/2014 of 19 September
Ministerial Diploma N° 156/2014 of 19 September
Ministerial Diploma N° 181/2010 of 3 November
Mozambique Gas Development Project Resettlement Plan of May 2016 (http://www.mzlng.com/Responsibility/Resettlement/Resettlement-Plan/)
Stakeholder Engagement Plan
The Constitution of the Republic of Mozambique (2004)

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1. PURPOSE AND SCOPE

MZLN-EL-RPPLN-00-000 – Supplemental Land Access Management Plan is an individual, topic specific plan comprising an integral component of MZLN-EL-RPPLN-00-0016 Rev 0 – Rovuma LNG Environmental and Social Management Plan (ESMP).

Information regarding the Project Overview, Objectives (of the ESMP), Scope, Project Components and Associated Facilities and other information regarding the context of the ESMP can be referenced in MZLN-EL-RPPLN-00-0016 Rev 0 – Rovuma LNG Environmental and Social Management Plan.

The principal objective of the ESMP is to facilitate the avoidance, reduction, and mitigation of environmental, social and community health, safety and security risks and impacts associated with the construction phase of the Midstream Project.

The ESMP sits within a broader Environmental and Social Management Framework, as illustrated in Figure 1-1 of MZLN-EL-RPPLN-00-0016 Rev 0 – Environmental and Social Management Plan.

This Framework comprises two overarching, system-level documents (MZLN-EL-RPPLN-00-0016 Rev 0 – Environmental and Social Management Plan and MZLN-EL-RBENV-00-0001 Rev 0 – Environmental and Social Requirements for Contractors) and a set of theme and activity-specific documents that collectively describe how the Project will manage its environmental and social (E&S) risks. The listing of the ESMP set of documentation is contained below:

- MZLN-EL-RPPLN-00-0016 Rev 0– Environmental and Social Management Plan (ESMP)
- MZLN-EL-RAZZZ-00-0001 Rev 0 – Requirements for Camps and Accommodation
- MZLN-EL-RBENV-00-0001 Rev 1 – Environmental and Social Requirements for Contractor (with Annexes)
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 1 Air Quality, Greenhouse Gases and Energy Efficiency
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 2 Effluent Discharges
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 3 Waste Management
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 4 Hazardous Materials
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 5 Site Development, Construction and Reinstatement
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 6 Road Traffic and Transport
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 7 Marine Operations
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 8 Water Use and Abstraction
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 9 Raw Materials and Aggregates
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 10 Dredging
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 11 Lighting and Visual Impact
 - MZLN-EL-RBENV-00-0001 Rev 1 Annex 12 Ballast Water and Biofouling

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- MZLN-EL-RBENV-00-0001 Rev 1 Annex 13 Weed and Pest Management
- MZLN-EL-RBENV-00-0001 Rev 1 Annex 14 Wildlife Protection
- MZLN-EL-RPLCP-00-0001 Rev 0 – Local Content Management Plan
- MZLN-EL-RPPLN-00-0005 Rev 0 – Community Development Support Plan
- MZLN-EL-RPPLN-00-0007 Rev 0 – Cultural Heritage Management Plan
- MZLN-EL-RPPLN-00-0008 Rev 0 – Supplemental Land Access Management Plan
- MZLN-EL-RPPLN-00-0009 Rev 0 – Project Induced In-Migration Management Plan
- MZLN-EL-RPPLN-00-0013 Rev 0 – DUAT Encroachment Management Plan
- MZLN-EL-RPPLN-00-0014 Rev 0 – Employment and Worker Relations Plan
- MZLN-EL-RPSEP-00-0001 Rev 0 – Stakeholder Engagement Management Plan
- MZLN-EL-RPPLN-00-0006 Rev 0 – Community Health Safety and Security Management Plan
- MZLN-EL-RPPLN-00-0004 – Biodiversity Strategy
- MZLN-EL-RPPLN-00-0011 – Biodiversity Action Plan

This Supplemental Land Access Management Plan (Plan) sets out the framework within which any supplemental acquisition of land use rights outside of the Rovuma Basin Land, Lda. (RBLL) Direito do Uso e Aproveitamento da Terra, Rights for the Use and Benefit of Land (DUAT) shall take place. It details the following:

- The national laws and international standards that govern such land acquisition and any associated resettlement impacts
- The step-wise land acquisition process to be followed
- The approach to determining eligibility for, and establishing and delivering, compensation and livelihood provisions that improve or restore the livelihoods and standards of living of displaced persons
- The organizational arrangements, roles, and responsibilities for governing the land acquisition process
- The approach to the on-going management of these acquired lands and associated monitoring and reporting processes

EMML has a policy that land needs, whether for temporary or permanent use, shall, as a priority, be accommodated within the DUAT. However, this Plan applies when it can be clearly demonstrated to EMML that the acquisition of land use rights outside of the DUAT (such as for the establishment of quarries, borrow pits, laydown and staging yards, etc.) is required and necessary and that there is no suitable alternative within the DUAT. In this circumstance, an EMML-prescribed and EMML-led land acquisition process shall take place in accordance with this Plan.

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There are two core tenets of this EMML-prescribed and EMML-led land acquisition process:

- 1) Firstly, all land requirements outside of the DUAT must be subject to a detailed alternative-based site selection process, carried out by Contractor, and then presented to EMML with the key aim being to avoid, and where avoidance is not possible, to minimize physical and economic displacement and resettlement impacts. Any resettlement impacts inevitably expose the Project to enhanced cost, schedule, and reputational risks.
- 2) Secondly, in circumstances where resettlement impacts cannot be avoided entirely, all impacts will be identified and minimized if possible and any adverse impacts will be offset by compensation and/or other assistance measures.

This Plan does not address the commercial and legal means to secure rights to land (e.g., commercial negotiations, leases, DUATs, or licenses for quarrying and the like). This Plan rather prescribes the land acquisition steps and the approach for establishing types and levels of compensation and other assistance ("entitlements") for land users and occupants subject to the impacts associated with the acquisition of land use rights in areas situated outside of the DUAT. This process—namely the management of economic and physical displacement and the provision of compensation and/or livelihood restoration—shall be executed in accordance with the government-approved Mozambique Gas Development Project Resettlement Plan of May 2016 (<http://www.mzlng.com/Responsibility/Resettlement/Resettlement-Plan/>).

2. ACRONYMS AND TERMS

Term	Definition
CLO	Community Liaison Officer
EMML	ExxonMobil Moçambique Limitada S.A.
DUAT	Direito do Uso e Aproveitamento da Terra, Rights for the Use and Benefit of Land
EMML(Midstream Operator)	ExxonMobil Moçambique Limitada (EMML) is the ExxonMobil Affiliate conducting Midstream Operations for MRV.
FCPA	Foreign Corrupt Practices Act
GIS	Geographic Information System
GoM	Government of Mozambique
GPS	Global Positioning System
IFC	International Finance Corporation
KPI	Key Performance Indicator
Liquefaction and Related Operations Operator	Liquefaction and Related Operations Operator
LNG	Liquefied Natural Gas
Midstream Operator	Liquefaction and Related Operations Operator
Project	Rovuma LNG Phase 1 Project
MoU	Memorandum of Understanding
Partial Protection Area	Area adjacent to key infrastructures or containing key natural resources.
Plan	Environmental and Social Requirements Supplemental Land Access Management Plan
Project	The development of the onshore and nearshore facilities for Area 4 by EMML, in conjunction with its nominated contractors.
PS	IFC Performance Standard
QA	Quality Assurance
QC	Quality Check
RBLL	Rovuma Basin LNG Land, Lda.
RP	Resettlement Plan
SSHE	Safety, Security, Health and Environment
Total Protection Area	Area reserved for the protection of nature and areas of importance for defense and/or security purposes

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3. PROJECT STANDARDS AND REQUIREMENTS

The following principles shall be adhered to for all acquisition of land use rights outside of the DUAT:

- Involuntary resettlement shall be avoided, but when avoidance is not possible, a comparison of alternatives shall be undertaken and documented with the aim being to minimize physical and economic displacement impacts.
- Any unavoidable land acquisition outside of the DUAT shall be approved by EMMML Management, and EMMML shall then prescribe and lead the subsequent land acquisition process.
- Compensation, livelihood restoration, and other forms of assistance shall be consistent with the government-approved Mozambique Gas Development Project Resettlement Plan.
- Displaced households shall be given reasonable notice.
- Resettlement activities shall be implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- Displaced households and their hosts shall be informed about, and be provided access to, the Project's Community Grievance Procedure, as referenced in the Community Impact Requirements Document and the Stakeholder Engagement Plan.
- EMMML shall monitor and steward impact mitigation.

More specifically, all land acquisition outside of the DUAT shall be carried out in accordance with both national laws and regulations and international standards as summarized below.

3.1. Mozambican Laws and Regulations

This Plan's land acquisition process has been developed in accordance with applicable Mozambican legislation and regulations.

3.1.1. Constitution of the Republic of Mozambique

The Constitution of the Republic of Mozambique (2004) vests all ownership of land and mineral resources in the State.¹ The State has the authority to grant land use and benefit rights and grant the right to conduct petroleum operations. The processes for obtaining land use and benefit rights and the right to conduct petroleum operations occur through distinct processes and are regulated by different laws and regulations.

¹ 2004 Constitution of the Republic of Mozambique, Articles 98 and 109.

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3.1.2. Law Nº 19/97 of 1 October – Land Law

According to both the Mozambican Constitution and the Land Law, all land belongs to the Mozambican State and cannot be sold, traded, mortgaged, pledged, or by any other means disposed of. As a result, projects requiring land for implementation/development are subject to the prior award of land use and exploitation rights. The requirements for accessing these rights are described in the Land Law and associated regulations. These determine that land use rights may be acquired through one of the following three ways:

- 1) According to customary rules and practices—occupation by people and local communities in accordance with customary rules and practices
- 2) As a result of good faith occupation—occupation by people who, in good faith, use the land for at least 10 years
- 3) Through authorization granted by the State to people or businesses, whether national or foreign, under the terms and in accordance with the provisions of the land legislation (such authorization corresponds to a material title—the so-called DUAT).

The Land Law recognizes the lawfulness of individuals and/or local communities occupying land without a material title if the right to the land is acquired through customary rules and practices, provided that these rules and practices do not contravene the Constitution of the Republic of Mozambique. The Land Law also recognizes rights arising from good faith occupation of the land by individuals over a certain period of time.

Outside the scope of customary rights and/or good faith occupation described above, individuals (both men and women), national or foreign businesses, and local communities are eligible to access land use rights by means of an authorization known as DUAT. As a result, foreign investors seeking to implement a project over a plot of land must undergo an authorization procedure to obtain a DUAT.

Land use and benefit rights of local communities are exercised based on co-ownership principles found in general law. However, each member of the community has a right to apply for an individual title to land plots following the detachment from the DUAT granted to the relevant community. In addition, the Land Law recognizes the right of local communities to participate in managing natural resources, resolve disputes, identify and define the boundaries of the land occupied by them, and participate in the formalization process of land use and benefit rights.

The land legislative framework provides for the existence of total or partial protection areas, which are considered areas of the public domain of the State. Protected areas do not go through the DUAT process but rather special licenses are granted for specific activities. Under Mozambican law, total protection areas include areas reserved for the protection of nature and areas of importance for defense and/or security purposes. In addition, partial protection areas are those adjacent to key infrastructures or containing key natural resources including, but not limited to, the following:

- Beds of internal waters, territorial sea, and exclusive economic zone
- Continental shelf
- Land occupied by surface facilities and aboveground pipes and lines, underground and submarine cables, oil, gas, and water with a bordering strip of 50 m on each side

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- Strip of land that borders river and lake navigable waters up to 50 m from the maximum line of such waters
- Strip of coastline and surrounding islands, bays, and estuaries from the peak high tideswaters up to 100 m inland

As a result of the above provisions, the use of the coastal strip by the Project requires a special license rather than a DUAT.

The Land Law is supplemented by the relevant regulation, approved by Decree N° 66/98 of 8 December (and subsequent amendments), which among other things establish the procedures for formation, exercise, modification, transfer, and extinction of a DUAT.

3.1.3. Law N° 3/2001 of 21 February – Petroleum Law (Previous Version)

The Project proponents' petroleum exploration and production rights were granted under the 2001 Petroleum Law, which established the regime for granting rights to carry out petroleum operations in Mozambique. This law established that petroleum prospecting, exploration, development, and production activities would be carried out by means of execution of a concession contract.

Under this law, access to land for the purpose of carrying out petroleum operations was granted in accordance with the requirements set out in national land legislation. No specific resettlement-related rules were provided other than the obligation to compensate legal users or occupants of the land in the contractual area who were required to be evicted. Under this law, compensation should have been provided for damage to crops, land, buildings, or improvements caused during petroleum operations in the concession area.

Under the transitional provisions of the current 2014 Petroleum Law, rights acquired under concession contracts executed under the 2001 Petroleum Law (as is the case with the Project proponents) remain valid and enforceable. As a result, the current Petroleum Law will only apply to the Project proponents in regard to matters not covered by the former Petroleum Law (2001).

3.1.4. Law N° 21/2014 of 18 August – Petroleum Law

The 2014 Petroleum Law currently governs the granting of rights to carry out petroleum operations in Mozambique. The 2014 Petroleum Law states that fair and transparent compensation is to be provided by the petroleum concessionaires to both people and communities holding land use and exploitation rights as well as rights over territorial waters (where they are affected by the petroleum activities).

Under the 2014 Petroleum Law, fair compensation includes the following:

- Resettlement in proper housing with better living conditions than the previous dwellings
- Payment of the amount of existing improvements
- Support for the restoration/replacement of affected persons' livelihood and food
- Security and nutrition are contingent
- Preservation of the historical, cultural, and symbolic heritage of families and communities on terms to be agreed between the parties.

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The 2014 Petroleum Law requires that fair compensation must be defined through a Memorandum of Understanding (MoU) agreed upon between the Government of Mozambique (GoM), concessionaire(s), and affected communities. The obligation to pay fair compensation arises whenever resettlement is required and/or damages result from the concessionaire's operations, irrespective of whether petroleum operations are carried out and/or damages are caused onshore or offshore.

3.1.5. Decree Nº 31/2012 of 8 August – Regulation on the Resettlement Process Resulting from Economic Activities

The 2001 Petroleum Law stipulates that where land users and/or occupants require resettlement, those displaced are entitled to compensation paid by the concessionaire. No other provisions on resettlement were provided under the 2001 Petroleum Law. Prior to the enactment of the Resettlement Decree, Mozambican law did not provide a specific framework aimed at governing involuntary resettlement. As a result, the project proponent typically undertook all responsibility for resettlement planning and implementation, based on international rules, notably those of the International Finance Corporation (IFC).

The Resettlement Decree establishes the rules and basic principles applicable to the resettlement process implemented as part of private or public economic activities. In doing so, the regulation aims to improve affected citizens' quality of life and protect the environment. The Resettlement Decree establishes a wide range of rights, the enjoyment of which is guaranteed to the population directly or indirectly affected by the Project. Its main purpose is to foster social and economic development and guarantee that the affected population is entitled to a better quality of life and social justice. As a result, the rights held by the resettled population include the following:

- To have their income level re-established, equal to or above the previous level
- To have their standard of living re-established, equal to or above the previous level
- To be transported with their goods to the new place of residence
- To live in a physical space with infrastructures and social facilities
- To have space to perform their livelihood activities
- To give their opinion about the entire resettlement process.

In addition, the Resettlement Decree states that resettlement must be guided by the following principles:

- **Principle of Social Cohesion**—Resettlement must guarantee social integration and restore the standard of life of those affected to a better standard.
- **Principle of Social Equality**—The resettled population is entitled to the restoration or creation of conditions equal to or better than the previous standard of living.
- **Principle of Direct Benefit**—The resettled population must directly benefit from the Project and its socioeconomic impacts.
- **Principle of No Alteration to Level of Income**—The resettled population must be entitled to restore their previous level of basic income.
- **Principle of Public Participation**—The resettlement process must guarantee the participation of the local communities and other interested parties.

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- **Principle of Environmental Responsibility**—Those who pollute or otherwise degrade the environment must repair or compensate for the damage caused.
- **Principle of Social Responsibility**—The Project proponent must create social infrastructure that promotes learning, leisure, sport, health, culture, and other community interest projects.

The Resettlement Decree establishes how the Resettlement Plan (RP) should be drafted. Among others, it prescribes the following elements:

- Analysis of the socioeconomic profile of affected households (ones being relocated and those existing at the resettlement area)
- Evaluation and analysis of the affected households' tangible and intangible goods
- Definition of the quantitative and qualitative degree of damage
- Definition of the compensation criteria
- Presentation of solutions as well as technically and economically viable alternatives that allow the continuation or improvement of the affected households' current standard of living.

According to the Resettlement Decree, an RP must consider certain guidelines with regards to environmental factors and housing. In choosing the relocation site, the elements such as permeability of soil and fertility of the land must be considered. Areas with significant environmental risk (such as those affected by floods or erosion of the soil) and/or protected areas (as defined in Section 3.1.2) may not be chosen as relocation sites for resettlement purposes. The Resettlement Decree also sets out a Resettlement Model, which prescribes the most important features of replacement housing and infrastructure as well as certain criteria applicable to the housing plots. The criteria include the following:

- Registered housing plot must have the appropriate infrastructure
- Replacement housing must have at least three rooms and a minimum area of 70 m²
- Urban plots must comprise of an area of at least 800 m²
- Rural plots must comprise an area of 5,000 m²
- The plot must include social facilities
- Housing plots must conform to the social and cultural features of the resettlement area
- Basic infrastructure such as sanitation, electricity, access roads, school, nursery, market, shops, police station, leisure areas, sports and recreation areas, and worship and congregation venues must be provided
- In rural areas, provision shall be made for agriculture, livestock, vegetable farming, poultry breeding, and other animals
- Housing plots shall have frontal access to the road; natural ventilation; and access to water and other infrastructures, including social equipment
- If natural physical conditions do not allow for the establishment of a drinking water supply system, improved latrines must be constructed at a minimum distance of 10 m from the house.

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In addition, the Resettlement Decree stipulates that construction projects must use conventional materials in accordance with the approved project and the social and cultural characteristics of the relocation site. While constructing houses, the vegetation must also be preserved. Relocation sites must ensure the continuity of subsistence activities or define programs to generate income.

Finally, the Resettlement Decree prescribes that an RP must be prepared to include the following elements:

- **Institutional Matrix**—This matrix must represent the bodies involved in the development and implementation of the RP. Their competencies and responsibilities must be clearly specified and disclosed with the community.
- **Schedule**—The schedule must represent the timeframe of achievements of the tasks and serve as an important control instrument that monitors and evaluates the process of resettlement.
- **Budget**—The budget must consider the expenses of the construction and the infrastructure, payment of compensations, and other charges associated with the resettlement program.

The Resettlement Decree not only aims to ensure the payment of compensation but also to improve the citizens' quality of life and enhance the socio-economic development of the country. To achieve this, it establishes obligations that the proponents of economic activities must comply with, including electrification of the resettlement area and the construction of sewerage, health and education infrastructure access roads, water systems, police station, shops, and sport and leisure facilities among others. In terms of compensation, the Resettlement Decree provides that the RP must define the compensation criteria applicable for resettlement purposes. However, no additional guidelines, in particular formulas for compensation purposes, are provided.

Two implementation instruments supplement the Resettlement Decree, namely the following:

- 1) Ministerial Diploma N° 156/2014 of 19 September, which approves the Technical Directive for the RPs Preparation and Implementation Process
- 2) Ministerial Diploma N° 155/2014 of 19 September, which approves the Internal Regulations for the Operation of the Technical Commission for Monitoring and Supervision of the Resettlement Process created by the Resettlement Decree.

3.1.6. Law N° 19/2007 of 18 July – The Territorial Planning Law and Regulations²

The Territorial Planning Law defines the legal framework for territorial planning in line with the principles, goals, and citizens' rights enshrined in the Constitution. The Territorial Planning Regulations establish the legal framework for territorial planning instruments, including the relevant preparation process.

In terms of territorial planning in the Project area, a District Land Use Plan for the District of Palma has not yet been made public. There are indications that an industrial zone will be created in the vicinity of the Project DUAT and that the Project replacement village site will be zoned as urban.

The Territorial Planning Law also defines the concept of expropriation in connection with the construction of projects or public developments on urban or rural land covered by DUATs, even if not demarcated. Expropriation for purposes of territorial planning may be justified by reasons

² Enacted by Decree N° 23/2008 of 1 July.

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of public interest, public need, or public utility. Such instances are defined in the Territorial Planning Regulations.

While the Project does not qualify as a public development project, the expropriation procedure set out in the Territorial Planning Law is relevant in that rights and/or private property in connection with the Project can be expropriated based on public interest. This public interest stems from the Project's potential economic and social impact on Mozambique in terms of revenue generation, boost of economic growth, construction and expansion of infrastructures, creation of employment, and the like. However, in line with IFC Performance Standard 5 (PS 5) 2012, the Project will strive to implement resettlement without requesting expropriation (except as a last resort) by the GoM but rather resettling through negotiated settlements and compensation with those affected.

The Territorial Planning Law makes it clear that expropriation for spatial planning purposes requires payment of fair compensation to compensate for negative impacts, including the loss of tangible and intangible assets, disruption of social cohesion, and loss of productive assets. Under the Territorial Planning Regulations, fair compensation covers not only the current value of the assets/rights to be expropriated, but also the owner's damages and loss of profits as a result of the loss of the relevant property.³

The expropriation process is, in general, regulated by the Territorial Planning Regulations, specifically by the Directive on the Expropriation Process for Territorial Planning Purposes, enacted by Ministerial Diploma N° 181/2010 of 3 November. The regulations describe the procedure, compensation arrangements, roles and responsibilities, documentation, and timeframes to be followed in the event of any expropriation. The regulations also describe avenues for appeal.

3.1.7. Law N° 10/88 of December 22 – The Law on the Protection of Cultural Heritage

For the purposes of this law, cultural heritage refers to tangible and intangible assets created or assimilated by the Mozambican people throughout history and of importance to Mozambican cultural identity. Assets of archaeological, historical, or scientific value as well as intangible assets are considered items of cultural heritage and worthy of protection. Depending on the nature of these assets, discoveries must be communicated to the relevant authority, which will inspect and determine the classification of the find and its future management.

3.2. Customary Law

The Constitution of the Republic of Mozambique (2004) recognizes customary law as a legitimate source of rights. These informal land tenure rights are recognized under Article 12 of the Land Law. This implies that the resettlement process needs to consider the land tenure and land allocation mechanisms adopted by affected communities, rather than on title holding or regular land-related documentation.

While holders of land use and exploitation rights may not have titles or may not have registered such titles with the relevant authorities, this does not affect their rights in terms of customary practice as well as good faith occupation. In addition to compliance with the Land Law, the Project will follow the participatory approach prescribed in the Land Law Regulations and Technical Annex. This will ensure that local communities and good faith occupants are properly assessed and recognized and take an active part in the identification, demarcation of boundaries, and the

³ Decree N° 23/2008 of 1 July, Article 70.3.

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reallocation of land rights. The Project will comply with the regulatory procedures, which include information dissemination and phased consultation with affected communities, including focus group meetings with Community Leaders.

3.3. Property Rights and Gender

The Constitution of the Republic of Mozambique (2004) establishes gender equality and non-discrimination as foundational principles (Articles 11 and 36) in all spheres of political, economic, social, and cultural life. It also recognizes and guarantees the right of inheritance in accordance with the law (Article 83) although there is no specific reference to marital property and inheritance rights. Land use rights acquired through custom (including inheritance or occupation) are established in Article 111.

Law N° 10/2004 of 25 August (the Family Law) reiterates gender equality and provides that both women and men have rights to administer marital property and have equal rights to transfer and inherit property. The Land Law of 1997 gives women the right to participate in all land-related decisions and the right to register DUATs individually. However, despite several statutory updates, a few inconsistencies remain.

The legal regime on inheritance set forth in the 1966 Civil Code (Succession Chapter Article 2024–2174) does not mirror the principles established in the Constitution upholding equality and nondiscrimination. This discrepancy is also true for some customary practices that are still prevalent in rural areas. However, the discrepancy in the sphere of formal law should be solved by resorting to the rules of interpretation of laws set forth under the Civil Code. According to these rules, when interpreting any law (in this case inheritance), one shall take into consideration not only the letter of the law but perform a systematic interpretation thereof.

The systematic interpretation should therefore take into consideration the entire legal system. This will allow one to capture the principles embedded in the Constitution (as the fundamental law of the State) as well as those of other branches of law governing related matters. In the case of inheritance, one has to consider the Constitution as well as the Family Law. Likewise, the apparent conflict with customary practices is solved by resorting to the constitutional principle that states that customary law practices are accepted by the State to the extent that they conform to the Constitution.

Community Courts rely mostly on customary practices to resolve disputes while the formal judicial system mostly applies the outdated Civil Code. Law N° 28/2007 of 1 December (the Tax Code on Succession and Gifts) and provisions in other statutes, such as the Land Law and the Family Law.

3.4. International Financial Institutions

Project related land acquisition outside of the DUAT, whether temporary or permanent, which is to accommodate designated associated facilities,⁴ will be subject to Lender representative compliance monitoring. This Plan's land acquisition process has thus been developed in accordance with not only national legislation, but also IFC PS 5. IFC PS 5 is based on a set of

⁴ Per IFC PS 1 (2012), page 4, "...facilities that are not funded as part of the project and that would not have been constructed or expanded if the project did not exist and without which the project would not be viable. [This] may include railways, roads, captive power plants, or transmission lines, pipelines, utilities, warehouses, and logistics terminals."

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land acquisition requirements aimed at avoiding and minimizing the impacts that arise from involuntary resettlement.⁵ IFC PS 5 notes that involuntary resettlement can occur in the following instances:

- Lawful expropriation or temporary or permanent restrictions on land use
- Negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

IFC PS 5 advocates that expropriation or use of governmental authority should only be used as a last resort and encourages the use of negotiated settlements that meet its requirements.

IFC PS 5 is designed to be applied as part of the process identifying impacts and risks and putting in place systems and management plans to help avoid, mitigate, and manage risks and impacts as a sustainable manner of conducting business. The following are key PS 5 elements:

- Involuntary resettlement should be avoided, and to that end, a project must explore all viable alternative project designs to avoid and/or minimize physical and economic displacement while balancing environmental, social, and financial costs and benefits, particularly focusing on the poor and vulnerable.
- Where displacement is unavoidable, it should be carefully planned and implemented with mitigation actions adequate to minimize the adverse impacts of relocating the communities.
- Displaced persons should as follow:
 - Receive compensation for their losses at replacement cost.⁶
 - Be assisted with the move and supported during the transition period.
 - Be assisted in their efforts to improve (or at least restore) their former living standards, income earning capacity, and production levels.
- Special attention should be paid to the needs of the poorest groups to be resettled as well as to minorities and other vulnerable groups, such as the elderly and poor.
- Resettlement activities should be implemented with appropriate disclosure of information, consultation, and the informed participation of those affected in planning and implementing resettlement.
- Existing social and cultural institutions of displaced persons and any host communities should be respected.
- Resettled persons should be integrated into host communities, both socially and economically to minimize adverse impacts on host communities.

⁵ Per IFC PS 5 (2012), page 1, "...refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement.

⁶ PS 5 defines replacement cost as "... the market value of the assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account."

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- Where the livelihoods of the affected persons are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost should be offered as a matter of priority.
- Where affected persons' livelihoods are natural resource-based and where the project results in restrictions on access, measures should be implemented to either allow continued access to affected resources or provide access to alternative resources with equivalent livelihood-earning potential and accessibility.
- The displaced persons' living conditions should be improved by way of allocation of adequate housing with security of tenure at the resettlement sites.
- The Project should take possession of the land following payment of compensation. Where this proves impossible, notably in the event of a dispute, the amounts owed by way of compensation must be made available to the affected party through deposit in an escrow account prior to the loss.
- Under IFC PS 5, both those who have formal legal rights to land or assets that they occupy or use and those who do not have formal legal rights to land or assets but have a claim to land that is recognized or recognizable under national law, should be entitled to be compensated for the loss of those rights.
- Apart from physical and economic displacement, PS 5 also applies to restrictions on access to land or use of other communal resources such as marine and aquatic resources, timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering grounds, and grazing and cropping land.

3.5. Differences between Mozambican Legislation and IFC PS 5

Generally, Mozambican legislative and regulatory requirements governing rights to land and resettlement are aligned quite closely with those of IFC PS 5. This is expected, as the Resettlement Decree in many key respects is modeled on World Bank and IFC resettlement principles and approach. Areas of similarity include (but are not limited to) the following:

- Focus on resettlement as a development opportunity whereby affected people can be assisted to improve their living standards and livelihoods
- The need to provide resettlement assistance, improved housing, and measures to restore livelihoods, not just cash compensation
- Provision for in kind assistance (e.g., land for land or house for house) as well as cash compensation
- Emphasis on providing equivalent replacement land, access to natural resources, and other forms of assistance as part of livelihood restoration
- Similar procedural requirements, including the requirements for a census, socio-economic surveys, asset surveys, identification of impacts and mitigations, as well as preparation and approval of a RP prior to resettlement commencing
- Focus on dissemination of information and the right of interested and affected parties to information about the resettlement process and decisions affecting their future
- Avoidance and minimization of impacts on cultural property

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- Requirement for a mechanism for filing claims and managing conflicts (i.e., grievance and dispute resolution mechanism) between the affected persons and the Project proponents
- Requirement for ongoing monitoring and evaluation.

In some areas, the requirements of Mozambican legislation are more extensive than those of IFC PS 5, such as the following:

- The Resettlement Decree defines an explicit set of rights for Project affected people.
- The Resettlement Decree is more prescriptive about the socio-economic baseline data to be collected and the kinds of analysis and evaluations to be performed than IFC PS 5.
- The Resettlement Decree is very prescriptive about the size and standard of replacement housing, replacement plots, and the types of supporting infrastructure to be provided.
- The Resettlement Decree requires preparation of a Resettlement Implementation Plan in addition to a RP.

There are also areas where the requirements of IFC PS 5 are more extensive than those of Mozambican legislation. These include (but are not limited to) the following:

- Need for avoidance and minimization of physical and economic displacement
- Need for informed consultation and meaningful participation beyond public meetings and government-led representative committees
- A performance-based definition of adequate replacement housing that can be measured by quality, safety, size, number of rooms, affordability, habitability, cultural appropriateness, accessibility, security of tenure, and locational characteristics
- A requirement to implement differentiated measures for vulnerable people to ensure that adverse impacts do not fall disproportionately on them and that they are not disadvantaged in sharing development benefits and opportunities (this requirement goes beyond the Resettlement Decree and technical directive's requirements for gathering baseline data and ensuring vulnerable are represented in consultations)
- Accessible avenues for making a complaint.

For further details of the key differences between the requirements of the Mozambican legislation and those of IFC PS 5, see Table 2-1 of the Mozambique Gas Development Project Resettlement Plan.

For the purposes of this plan, in case of any ambiguities between the Mozambican Regulations and IFC PS 5, the most stringent requirements shall be applied on the basis that such requirements do not conflict with the applicable Mozambican law.

4. MANAGEMENT

4.1. Land Access Process

To be compliant with the Mozambican and IFC requirements cited in Section 3, EMMML will be applying a structured process to any land acquisition outside of the DUAT that is required for the execution of the Project. This process follows the same process utilized for land acquisition within the DUAT. Figure 4-1 provides an overview of the process that will be followed.

Figure 4-1: Land Access Process for Lands Outside the DUAT



4.2. Land Access Steps and Associated Schedule

The time needed to achieve land access will depend on the land area required, the density of existing occupation and use, and the appropriate level of government to be involved in approvals. For a small footprint (e.g., side of the road truck pull-off areas) affecting maybe two or three land users, land access may be achievable in 3–6 weeks. For a facility with a larger footprint (e.g., a quarry or borrow pit) that is opened for the Project and that involves multiple landowners and physical displacement (and preparation of a specific RP), land access may take 12–24 months. It is fundamental that a schedule is developed at the start of the land access process with timelines put against each step to ensure that sufficient time is provided for all aspects of the process.

4.2.1. Contractor Identification of Required Land Parcels

The first step in the land access process is Contractor identifying specific parcels of land outside of the DUAT that are required to execute Contractor's scope of work. Contractor shall assess the extent of the agreed execution scope and identify those activities potentially requiring lands outside of the DUAT. For each of these activities, Contractor shall identify the proposed locations where these activities may occur, affirming if land access is required for the activity, if the activity is fixed to that location, or if the activity can be performed at alternate locations. It is understandable that some locations will be fixed, such as the location of a rock quarry where the quality of the rock source has been identified and deemed Project acceptable. Other locations may be more flexible, such as the location of a truck rest stop or a laydown or staging yard.

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4.2.2. Contractor Desktop Assessment

In the first step of the supplemental land need evaluation, Contractor shall conduct a quick desktop assessment of the anticipated impacts associated with each site, including all alternate locations. Impacts to be assessed should include at a minimum:

- Economic activities on the land parcel (farmland, economic trees, and businesses)
- Physical presence of stakeholders and potential displacement requirements
- Closure of / restrictions to access routes/paths
- Cultural heritage implications (religious, spiritual, historical, and community)
- Community property impacts, including community properties and foraging areas
- Particular environmental considerations

4.2.3. Contractor Request Submittal

Following assessment of impacts for alternative land access sites, Contractor shall confirm land use needs and identify the lowest overall (Contractor and community) impact/risk solution. Contractor shall then submit to EMML all desired parcels of land for EMML approval. Contractor will provide the assessment of the alternatives for each parcel of land and an explanation of how Contractor concluded and finalized the land choices. Contractor shall include the following components with each submittal:

- Declaration of need for a parcel of land and explanation of its intended use
- Description of location of land parcel and explanation of alternatives analysis
- Table of identified desktop impacts (see Section 4.2.2) and anticipated management measures—selected location and alternates
- Geographic Information System (GIS)-based map(s) and electronic shapefiles that depict land locations—selected location and alternates
- Desired start date and expected anticipated duration of land occupation

4.2.4. EMML Approval

EMML shall review each of Contractor's requests. At the discretion of EMML, EMML shall as follows:

- Undertake the necessary activities to secure land access required by Contractor
- Reject the request along with an explanation as to why EMML has done so.

4.2.5. Stakeholder Engagement

EMML's Community Relations Team will engage first with the District Government to discuss the land required and subsequently with the associated communities and stakeholders that could be impacted by the requested parcel(s) of land. The intention of the engagement is to provide information on the potential land need and begin to identify specifically who may be economically or physically displaced. The objectives of these engagements are to notify communities of the following:

- Explanation about Contractor's work scope and the potential activities that may take place in their communities (not being so specific about the location that could result in speculative behaviors on the desired site)
- Potential impacts that may arise as a result of Contractor's activities
- Process by which compensable items—assets and economic activities—will be identified, counted, and recorded
- Compensation and entitlement matrix that will be used during the land access process
- Process that will be followed to ensure that people affected by the Project are fairly compensated
- Avenues for lodging any complaints regarding the process.

Table 4-1 provides an overview of the various engagement steps that EMML will carry out during the land acquisition process. The District Government may participate in engagements as well.

Table 4-1: Engagement for Land Access Outside the DUAT

Task	Actions
Step 1: Alignment and Consensus with District Government	<ul style="list-style-type: none"> • EMML Community Relations Team prepares messaging to be used in the engagements for presentation to the District Government (acquisition process and intended use of the site). • EMML presents the messaging and activity requirements to the District Government. • EMML agrees with the way forward with the District Government.
Step 2: Preparation for Community Engagements	<ul style="list-style-type: none"> • EMML arranges logistics for the initial community meetings (including vehicle requirements, Foreign Corrupt Practices Act (FCPA), etc.). • EMML arranges a meeting date with the community leadership. • When there is physical displacement associated with the land acquisition, the Provincial Resettlement Committee will need to be informed and participate in the engagements.



Task	Actions
<p>Step 3: Initial Engagement with the Affected Community Leadership</p>	<ul style="list-style-type: none"> • EMMML conducts an initial meeting with the community leadership. This potentially could be conducted jointly with the District Government. • EMMML provides an explanation of the purpose for the land acquisition, the acquisition process, and compliance with the Mozambique Gas Development Project Resettlement Plan. EMMML provides an explanation of the extent of the land required and the intended activities that will take place on it. • EMMML requests subsequent meetings with the asset owners and support of the community leadership to identify and set-up the meeting with the potentially affected asset owners. • EMMML should conduct the meeting with the asset owners 1 or 2 days after the briefing to the community leadership to provide the leadership enough time to locate the asset owners.
<p>Step 4: Negotiation with Affected Asset Owners</p>	<ul style="list-style-type: none"> • EMMML provides the following: <ul style="list-style-type: none"> • An explanation of the eligibility and compensation framework with the affected asset owners as a group • An explanation of the purpose for the acquisition and the acquisition process • An explanation of the extent of the land required and the intended activities that will take place on the site. This potentially could be conducted jointly with the District Government • EMMML attempts to achieve an acceptance of the standard compensation rates, other assistance measures, and implementation provisions that need to be uniformly applied to all households. • EMMML informs the asset owners about necessary follow-up meetings to be held with each individual asset owner so that the process can be described in more detail and asset data collected. The schedule for the next visit must be agreed upon. • EMMML explains to stakeholders how they can submit grievances.
<p>Step 5: In-Principle Negotiation</p>	<ul style="list-style-type: none"> • For temporary occupation sites, the District Government, EMMML, the community leadership, and the asset owners or their representative come to an in-principle agreement on the terms and conditions for the occupation. • For permanent occupation sites, the District Government, EMMML, the community leadership, and the respective asset owners come to an in-principle agreement on the GoM's acquisition of the land. • EMMML explains to stakeholders how they can submit grievances.
<p>Step 6: Communication Cut-Off and Demarcation</p>	<ul style="list-style-type: none"> • After agreement, EMMML informs the community about the cut-off date and explains why it is important to establish the cut-off. • EMMML also informs the community about the general area that will need to be demarcated and how it will be demarcated. • EMMML agrees to a mutually acceptable date for affected community members to be available in their fields for the asset survey in the event that these fields fall within the subject land parcel.

Task	Actions
Step 7: Reporting	<ul style="list-style-type: none"> • EMMML shall document all aspects of the land acquisition as follows: <ul style="list-style-type: none"> • Provide daily draft of the minutes of each completed meeting. • Have each set of meeting minutes signed by community, GoM, and EMMML Representatives. • Ensure that meeting minutes make clear reference to the agreed cut-off date and demarcation process. • Post minutes in public places, photograph, and Global Positioning System (GPS) reference the posted minutes. • Retain within EMMML copies of all documents, photographs, GPS coordinates related to the engagement with communities.

Based on the intensity of potential impacts to stakeholders resulting from the land acquisition, EMMML may need to conduct socioeconomic baseline studies to adequately contextualize how each of the stakeholders derives their livelihoods from their activities and the environment. EMMML will determine when these socioeconomic baseline studies will be required and will draw on the experience gained in the implementation of the Mozambique Gas Development Project Resettlement Plan.

The socioeconomic studies must focus on the actual situation of the affected population, the social organization structure of leadership of the community, the identification of vulnerable groups and dependents, and the characterization of family standards. In addition, it should include a description of the organization of the systems of production, of the work and basic information about the ways of life, and the possible social impacts of resettlement. For the purposes of characterizing family standards, the following factors should be considered:

- The typical production and income resulting from formal and informal economic activities as well as the quality of life of the affected population
- The scale of the expected losses and the physical or economic impact of those affected
- The surveying of forms of access to land, housing, water, roads, social services, schools, and health
- The number of members of the families and their family ties
- The family and/or social relationship between them
- The nature of the occupation of the property (owner, occupant, tenant, or assignee)
- The verification of the number of families under the same roof
- Time of residence in the property
- The number of taxpayers in the family income
- Gender of the head of the family
- The education of the occupants in the property, especially those contributing to family income
- The number of children, elderly, and disabled

- The most vulnerable groups, such as elderly, families headed by women, widows, and youth are heard to guarantee their rights
- The type of fuel used to prepare the food
- The participation of the family in the organization of the social community.

4.2.6. Demarcation

EMML-led demarcation will take place on the same or following day as the initial notification meeting between the affected community and EMML. Demarcation is undertaken to clearly indicate the boundaries of the requested parcel land so that community members are completely aware of which plots/assets are located within the boundaries. The land parcel will be videotaped and photographed with the land owners/users on the day of demarcation to document their condition, the position of assets contained within its boundaries, and the self-proclaimed owners of these assets. All photographs shall be geo-referenced, so EMML can quickly resolve claims, if any, that are submitted.

The geo-referenced data will be plotted by EMML to ensure that the polygons and points captured in the field correlate to the original land request and latest satellite imagery. EMML will also be able to use this to confirm duplicate claims for the same asset by different claimants.

Demarcation also assists EMML to better manage encroachment through the clear marking of the boundary of the land parcels as shown in Table 4-2.

Table 4-2: Procedure for the Demarcation of Requested Land Outside the DUAT

Task	Actions
Step 1: Preparation	<ul style="list-style-type: none"> • EMML confirms that the geographical location of the land parcel has had permission to be acquired. • EMML produces a map and GIS shapefile of the subject land. • EMML prepares the survey stakes and concrete beacons. • EMML employs bush cutters to assist the Demarcation Team to gain access to the areas for demarcation.
Step 2: Demarcation	<ul style="list-style-type: none"> • EMML deploys teams consisting of bush cutters, survey staff, and Community Liaison Officers (CLOs) to work on the boundary of the land parcel. The bush cutters clear the line of the boundary following directions provided by the survey staff. • Survey stakes will be placed at intervals not greater than 50 m and at boundary inflection points. The GPS coordinates of each stake will be recorded. Depending on the situation, concrete beacons may need to be installed at some or all of the survey stakes to create more permanent reference points. • If multiple teams are deployed, they will meet to close the polygon of the land parcel boundary and ensure that their data aligns. • The team(s) will take photographs of and videotape all activities. • EMML CLOs will respond to any questions raised by community members encountered, noting each for inclusion in the engagement report. • The team(s) will conduct a quick confirmation through consultation with affected stakeholders and by walking the land parcel to determination whether there are any dwellings, graves, sacred, or other sensitive sites within the demarcated area.

Task	Actions
Step 3: Reporting	<ul style="list-style-type: none"> • EMMML will upload GPS coordinates into their GIS platform to develop maps showing the placement of posts with photographs to illustrate what these look like. • EMMML will archive all videos and photographs using an easy to understand file naming protocol. • EMMML will draft an engagement report that includes all of the questions and responses raised during the demarcation process.

4.2.7. Cut-Off Notification

The cut-off notification defines the eligibility to compensation for impacts and helps minimize opportunistic compensation claims. This cut-off notification will coincide with two dates:

- The date of announcement to the community of EMMML 's intention to acquire the site
- The date when the census and asset survey has been completed.

The period between these two dates allows affected stakeholders to tabulate the impacts that will be occurring to them and the submittal of their claims to EMMML. This cut-off notification process will be widely publicized within all affected communities.

Only households who reside within or have assets on the affected land at the time of the cut-off announcement will be eligible for compensation. Eligible people, enterprises, and assets on the land will be recorded by the Project through the census along with an asset inventory, undertaken at the same time, or as soon as possible after, the cut-off announcement.

Where claimants come forward who consider themselves to be eligible for compensation, but are not included on the list, they can file a grievance through the Project's Community Grievance Procedure, as referenced in the Community Impact Requirements Document and the Stakeholder Engagement Plan.

Upon completion of the asset survey, the cut-off period will be deemed closed and households will be reminded that any assets not recorded in the asset survey will not be eligible for compensation.

4.2.8. Census and Asset Surveys

After the subject land has been demarcated, EMMML will initiate the process of registering stakeholders and households claiming compensation (census)—mostly likely through community leadership. Concurrent with this activity, EMMML will conduct an asset inventory that identifies and assigns impacted assets to owner stakeholders. GPS coordinates for all impacted assets will also be captured following the Plan's pre-determined protocols. Impacted assets will also be documented with photographs and videography. The GIS coordinates and documentation will assist in the resolution of future claims, if any, for assets that have been compensated yet newly claimed by other stakeholders.

As is required (i.e., significant economic and/or physical displacements), EMMML shall carry out a socioeconomic baseline survey to monitor the household's post-displacement and resettlement. Each stakeholder will be identified as part of a household, which includes all of the members of that household. Each household registered in the surveys will receive a unique census number

that will identify this household throughout the land access process. Basic census information about the household will be collected at the time of the assignment of the unique census number.

To execute the census and asset surveys, EMMML will follow a process aligned to that followed in the Mozambique Gas Development Project Resettlement Plan. This process is described in detail in Table 4-3.

Table 4-3: Steps for Executing Surveys of Impacted Households

Task	Actions
Step 1: Preparation	<ul style="list-style-type: none"> • EMMML holds meetings with the Community Leaders to perform the following: <ul style="list-style-type: none"> • Explain the purpose of the surveys and their required help. • Request assistance in identifying impacted households. • EMMML undertakes a site visit with the Community Leaders to show them the demarcated area. Agree during the site visit the process to be followed to identify the affected households and submission of claims to EMMML. • EMMML receives list of potentially impacted households from the Community Leader(s).
Step 2: Field Visits, Census, and Asset Survey	<ul style="list-style-type: none"> • EMMML Team engages with potentially affected households to perform the following: <ul style="list-style-type: none"> • Explain that they are potentially affected. • Assign the household with a temporary census card. • Visit their assets, and confirm that they are located within the parcel. • Capture geospatial data on the stakeholder's assets within the subject land, note what type of asset it is, and photograph the asset(s). • Inventory all of the household's affected machambas (plots of land). These need to be reported, photographed, and size and contents estimated with location coordinates. • Have the survey signed by all who witnessed, including the Community Leader. <p>Note: It is not necessary to capture in the survey those plots of land or assets that are not within the area to be affected by the acquisition of land use rights.</p> • EMMML Team arranges Community Representatives to accompany Asset Inventory Team. • EMMML uploads the data for all households to a GIS platform and identifies any potential multiple claims on the same asset(s). • EMMML investigates potential multiple claims per asset through verification of ownership, rights of use, agreements between family members, and input from community leadership. • EMMML resolves any multiple claims identified and assigns to the agreed-to asset owner stakeholder. <p>Note: If physical displacement is required, the Provincial Community Resettlement Committee will need to be involved in all Step 2 activities.</p>

Task	Actions
Step 3: Processing Asset Inventory Data	<ul style="list-style-type: none"> EMML receives the completed asset inventory forms on a daily basis from Field Team. EMML checks completion of the form and the appropriate GPS entries and photos as per the Data Quality Assurance/Quality Check (QA/QC) procedure. EMML cross-checks the data captured with the satellite/aerial images of the location. EMML consolidates and documents all compensable items by household. EMML uploads GPS data in GIS platform and quality checks data. EMML ensures that polygons and points match the satellite/aerial photograph base map.
Step 4: Census and Socioeconomic Survey, as Required	<ul style="list-style-type: none"> EMML prepares materials and equipment for the census and socioeconomic surveys. This includes census forms, socioeconomic survey forms, camera, Garmin units, pens, and ink pads. EMML meets households at their home and conducts the census and socioeconomic survey. EMML has the completed census and socioeconomic surveys signed by all who witnessed, including the Community Leader.
Step 5: Processing Census and Socioeconomic Survey Data, as Required	<ul style="list-style-type: none"> EMML receives completed census and socioeconomic survey forms on a daily basis from the Field Team. EMML checks completeness of the forms and the appropriate GPS entries and photos. EMML checks for completeness of the data collected or if the Field Team has to return to field to collect additional data. EMML documents the data collected and interpretation. EMML uploads GPS data in the GIS platform.

4.2.9. Agreement Package Development and Valuation

The valuation of assets shall be undertaken in line with principles established in the Mozambique Gas Development Project Resettlement Plan. Compensation rates for each required land parcel shall be in line with the annually updated compensation prices. EMML will incorporate these rates in the draft Household Agreements and share them with the affected households.

4.2.10. Agreements Sign-Off

Depending on the situation for each land access parcel, the following two forms of agreement may be required for EMML to acquire land parcels:

- Household Agreements, which itemize all the entitlements that a household is eligible for, including compensation for crops and structures, allowances for agricultural land preparation, participation in any livelihood restoration programs, and housing provisions in the case of physical displacement impacts (if applicable)

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- Temporary Land Access Agreements, which articulate the terms and conditions negotiated between EMML and the landholder/ community that authorize the temporary occupation of the location. These agreements should include clear statements about post-occupation rehabilitation works to be undertaken and the condition of the site to be achieved prior to handback to individuals or communities.

The Household Agreement Sign-Off is a formal ceremony with each household to confirm and facilitate witness of resettlement choices following explanation and agreement with the households during previous engagement and negotiation meetings.

4.2.11. Compensation Delivery

Compensation is classified as cash, in-kind goods, and/or the provision livelihood restoration programs. Cash compensation disbursement, typically through bank transfer, shall take place immediately following the signing of each Household Agreement. The timing of the delivery of in-kind goods and the provision of livelihood restoration programs should immediately follow the signing of Household Agreements, but can consider mutually agreeable delay, between involved parties, due to logistical and seasonality conditions.

4.2.12. Land Access

Access to land by EMML will only be permitted after the following:

- Compensation has been paid
- Any households subject to physical displacement impacts have been relocated (if applicable)
- The 30 day notice period for economically displaced households to vacate has expired.

EMML will then inform Contractor in writing that the area is available for construction.

4.3. Encroachment Management

Contractor is responsible for putting in signage and fencing on lands acquired outside the DUAT to dissuade individuals from attempting to encroach on lands acquired for its use. Contractor is also responsible for frequent surveillance of its lands to identify any attempts of encroachment, and, if identified, to immediately notify EMML. EMML will conduct regular communication with communities about EMML's program. The Project DUAT Encroachment Management Plan describes the measures that EMML will take to manage encroachment on lands allocated to the Project within and around the DUAT. The Encroachment Management Plan will serve as a reference to EMML in the event encroachment does occur on parcels of land legally acquired. The Project DUAT Encroachment Management Plan follows a three-step process to manage squatters:

- First a verbal notification to vacate the premises
- Followed by a written notification to vacate the premises
- Pursuit of legal eviction of the squatters as a final measure

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4.4. Eligibility and Entitlements

EMML shall execute land access responsibilities in a transparent, consistent, and legally defensible manner. EMML will create an acquisition and compensation framework that addresses the following three questions:

- 1) Who is eligible to receive compensation?
- 2) To what kinds of compensation and assistance are they entitled for each type of loss?
- 3) How are losses measured and valued? (Reference Section 5.4 of the Mozambique Gas Development Project Resettlement Plan and/or any subsequent Government-issued updates to the rate schedules).

4.4.1. Eligibility Criteria

Eligibility categories for compensation will be defined based on the findings of the census, asset inventory, and socioeconomic baseline survey. Categories of people affected by Project activities outside the DUAT might include, but will not be limited to, the following:

- Individuals and households that will be physically displaced from the required land(s)
- Individuals and households that will be economically displaced with assets (including use rights to agricultural land, fallow or bush, crops, and fruit trees) on the required land(s)
- Individuals and households that will lose a structure from which they are operating a small business within the required land(s)
- Individuals or entities owning religious buildings (mosques or churches) used by the public within the required land(s)
- Households or communities that are losing cultural heritage sites, sacred sites, graves, or cemeteries
- Individuals with third-party proprietary interests in use of land or structures (e.g., tenants with formal or informal agreements and sharecroppers) within the required land(s).

Each of these groups will have different entitlements to compensation and assistance dependent on the nature of their loss and livelihood impact.

4.4.2. Individual / Household Entitlements

Compensation can be in cash or in-kind (which includes house replacement for house, land replacement for land, and livelihood restoration programs) or a combination of these. IFC PS 5 requires that land losses should be compensated in-kind for subsistence communities whose source of livelihoods is land-based, where possible. Table 5-1 in the Mozambique Gas Development Project Resettlement Plan provides an overview of the entitlements of physically and economically displaced households.

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The table is organized in a manner to make it easier for affected persons to understand types and amounts of compensation due. The table lists an impact category (Project Physical and Economic Displacement Impacts) in the first column, a specific impact in the second column, and then indicates whether the household/individual is eligible for (mitigation measure):

- In-kind replacement residential housing
- Cash and in-kind compensation for loss of land improvements,⁷ trees, and crops
- Livelihood restoration programs
- Other assistance.

4.5. Rehabilitation and Land Handback for Temporary Use of Land

Where land acquisition is carried out for temporary uses, the negotiated land access agreement shall stipulate all rehabilitation requirements for the site post-Project use. The condition of the land parcel at the signing of the use agreement shall be documented by both parties to serve as a basis for the level of rehabilitation that may be required at time of the return of the land to the original owner. It is likely that the agreement and any assessments of condition, pre and post-use, will need to be witnessed by the District Government and/or the community.

4.6. Identification of and Support to Vulnerable Households

EMML shall pay particular attention to the circumstances of vulnerable individuals and households to ensure that they do not experience hardship as a result of land acquisition activities and in circumstances where vulnerable people are identified, EMML shall include these stakeholders in programs to reduce potential vulnerability. These specific programs will be included as part of the Household Agreement Package development.

4.7. Community Grievance Management

The Project's Community Grievance Procedure (as referenced in the Community Impact Requirements Document and the Stakeholder Engagement Plan) has seven steps:

- 1) Receive the grievance
- 2) Register, assess, and assign the grievance
- 3) Acknowledge receipt of the grievance
- 4) Investigate, verify, and determine resolution options
- 5) Respond to the grievant, and as applicable agree to resolution actions
- 6) Implement the agreed resolution, or review any appeal for declined resolutions
- 7) Verify outcome with the grievant and close out.

EMML's Community Relations Team will steward all community grievances.

⁷ IFC PS 5 requires, specifically for subsistence families, that agricultural land be replaced in kind where feasible.

5. ORGANIZATION – ROLES AND RESPONSIBILITIES

In the course of the acquisition of land use rights outside the DUAT, it is anticipated that EMMML will require five distinct teams to execute this Plan as shown in Table 5-1:

Table 5-1: Roles and Responsibilities

Team	Roles and Responsibilities
Community Relations	<ul style="list-style-type: none"> • EMMML's Community Relations Manager is the owner of the District Administration relationship. • EMMML's CLOs are the owners of the village relationships. • The Community Relations Manager is responsible for managing the CLOs. • The Community Relations Manager interfaces with other EMMML and Contractor Managers. • The CLOs will observe the census and asset survey to provide an objective perspective on the effective execution of the work. • The CLOs receive, record, and assist in the resolution of community grievances. • The CLOs shall monitor site development / construction activities in the field on a daily basis and ensure that works are being undertaken transparently with the community.
Survey	<ul style="list-style-type: none"> • Manage the installation of all survey stakes and/or concrete beacons around the perimeter of each land parcel. • Measure the extent of cultivation fields. • Capture the coordinates of all structures and large assets (e.g., fruit or nut trees). • Create GIS-based shapefiles and points to represent all data gathered. • Develop reports that consolidate all information gathered into a geo-referenced report.
Census and Asset Surveys	<ul style="list-style-type: none"> • Meet with community leadership and affected stakeholders to solicit all claimed assets. • Conduct field visits with affected stakeholders, community leadership, and Survey Teams to record geospatial information for each item claimed. • Develop preliminary lists of all assets mutually agreed with the asset holders and verified by field visits. • Clarify duplicate claims of the same assets between stakeholders. Facilitate community leadership to resolve these duplicate claims. • Execute socioeconomic baseline studies in relevant areas.

Team	Roles and Responsibilities
Brush Clearing (Concurrent with the Survey Census and Asset Survey Teams)	<ul style="list-style-type: none"> • Responsibility of and stewarded by the Survey or Census and Asset Survey Teams. • EMMML's CLOs steward the equitable employment recruitment of locals to be members of this Team by either the Survey or the Census and Asset Survey Teams. • Clear sufficient brush at the direction of the Survey and Census and Asset Survey Teams to be able to demarcate the perimeter of, and conduct an asset survey within, the land parcel.
Commercial	Negotiate with community leadership, District Government, and potentially individual stakeholders the terms and conditions for the temporary occupation of land parcels.

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6. TRAINING – AWARENESS AND COMPETENCY

Training on the contents of this Plan will be provided to all personnel associated with its implementation. Training will need to be provided for all field-based land acquisition personnel on how to use handheld GPS units and the collection of videography and photography.

Grievance training will be delivered to relevant personnel based at Project sites as part of their initial mandatory site induction and subsequent annual re-inductions. This will include training on how to receive and record a complaint. Personnel whose role requires a deeper knowledge of the grievance procedure and its implementation will receive additional training from the Project Grievance Coordinator.

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7. PERFORMANCE INDICATORS

The monitoring of the performance of any activities undertaken as part of this Plan will need to align with Section 11 of the government-approved Mozambique Gas Development Project Resettlement Plan, which describes the monitoring and evaluation activities that will be undertaken as part of the resettlement implementation program within the DUAT.

The objectives of monitoring are to verify the following:

- Actions and commitments described in this Plan are fully implemented
- Eligible affected people and entities have been identified and have received their compensation entitlements in full
- Complaints lodged by Project affected people and their hosts are followed up and that, where necessary, appropriate corrective actions are implemented
- Regular progress reporting occurs to keep Project Management, GoM, Project affected people, and other interested stakeholders appropriately informed about resettlement progress and issues.

The specific key performance indicators (KPIs) EMMML shall measure, by land parcel acquired, will include the following:

- Number of engagements conducted associated with land acquisition along with the number of participants at these engagements
- Number of affected stakeholders
- Number of Household Agreements required, signed, and compensation paid
- Number of affected stakeholders participating in any livelihood restoration programs
- Number of grievances associated with acquired land parcels submitted, pending, and closed.

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8. REPORTING AND NOTIFICATION

EMML will include within its monthly report a descriptive summary of all land acquisition activities that it has been undertaken in that month, accompanied by a table of the monthly and Project-to-date metrics noted in Section 7. This information will be submitted by the Project Safety, Security, Health, and Environment (SSHE) Department.

Any land acquisition grievances submitted by community members will be directed to the Project SSHE Department for stewardship and captured in the Project's Community Grievance Procedure.