

Land Acquisition: Compensation and Resettlement

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FEBRUARY 2019

Landfolio for Natural Resources

Managing Local Land Concerns, Maintaining Corporate Governance





Agenda



- Mining-Induced Displacement and Resettlement (MIDR)
- 3 Case Studies

Tanzania – Acacia Mining

Papua New Guinea – Barrick PNG

Kenya – Acacia Mining

Mining-Induced Displacement & Resettlement

IFC

PS5

R
A
P

L
R
P





Community Resettlement Challenges

Flaws in Payment Processes

- Fraud
- Calculation errors in payments
- Double payments
- Lost documents
- No history
- No written procedures

Successful Case Study: Acacia Mining Tanzania

(formerly known as African Barrick Gold)

Tanzania Sites

- Dar Es Salaam
- North Mara
- Bulyanhulu
- Tulawaka
- Buzwagi



Acacia Compensation Project

- North Mara mine located in Mara Region, NW Tanzania, home to Serengeti National Park, and to over 1.7 million people





Compensation Project Goals

- Establish Standard Business Practices
- Comply with Legal Requirement to Compensate Customary Land Holders
- Comply with Corporate Governance Standards (IFC)
 - Land Services - Records Management
 - Grievance Management & Resolution
- Comply with Existing Resettlement Action Plans (RAP)

Successful Management of Resettlement Programs

Managing the **compensation** process for extensive mine site community relocation programs can include:

- Land
- Crops/Trees
- Buildings (Construction Agreements)
- Graves/Grave Sites
- Structures



Acacia Resettlement Process (1)

1. Resettlement Areas identified
2. Negotiate MOU with Villagers
3. Survey Individual Land Parcels – Land Owners and their Tenants (Survey Contractors)
4. Valuation of Property (Registered Valuers) – Crops, Buildings, Graves etc.
5. Data Entry/Import into Landfolio

Assessment Forms

	A	B	C	D	E	F	G
1	Building Type	Quantity	Unit Rate	Depreciation (%)	House	Accommodation	Assign to Owner
2	House No .1: Iron sheet & wooden roof, Burn bricks wall chipping out side & coloured inside, Coloured ceilling board, Wooden iron steel & wire mesh window, 2 rooms, Wooden & coloured doors, Cemented floor	18.4800	250000		Inhabited	35000	
3	House No.2: Iron sheet & wooden roof, Burn bricks wall chipping out side plaster & colour, Coloured ceilling board, Wooden iron steel & wire mesh window, 2 rooms, Wooden doors, Cemented floor.	24.9600	250000		Inhabited	40000	
4	Houser No.3: Thatch roof, Mud bricks wall, 1 room, Wooden door, Mud floor.	7.5500	150000				
5	House No.4: Thatch roof, Mud bricks wall, 1 room, Wooden doors, Mud floor.	12.5700	150000				
6							
7							
8							
9							

	A	B	C
1	Business	Unit Rate	Assign to Owner
2	Shop: Grocery Store	250000	
3			
4			
5			

	A	B	C	D	E
1	Asset Type	Quantity	Unit Rate	Depreciation (%)	Assign to Owner
2	Toilet: Mud bricks wall,Iron sheet door, Mud floor.	1.69	100000		
3	Well	1	250000		
4					

Assessment Forms

	A	B	C	D
1	Crop Type	Unit	Quantity	Maturity (%)
2	Migomba/Bananas	Hectare	0.102	80%
3	Mipapai/Pawpaw	Stem	46	100%
4	Mwembe/Mango	Stem	39	100%
5	Mwembe/Mango	Stem	5	20%
6	Kahawa/Coffee	Stem	11	100%
7	Kahawa/Coffee	Stem	8	70%
8	Machugwa/Oranges	Stem	5	80%
9	Mparachichi/Avocado	Stem	1	100%
10	Mparachichi/Avocado	Stem	1	50%
11	Miti ya Asili/Indigenous Trees	Stem	11	100%
12	Miti ya Asili/Indigenous Trees	Stem	13	60%
13	Mikorosho/Cashew nut	Stem	2	100%
14	Mikorosho/Cashew nut	Stem	1	30%
15	Pilipili manga/Black pepper	Stem	20	80%
16	Miti Kaburi/Mibono/Castor Oil	Stem	1	100%
17	Michongoma/Thorn Tree	Stem	1	100%
18	Katani/Hemp	Stem	300	100%
19	Katani/Hemp	Stem	150	30%
20				
21	Alizeti/Sunflower seed			
22	Aloe Vera/Aloe Vera			
	Ashoka tree			
	Bamia/Okra			
	Beetroot/Beetroot			
	Bilinganya/Eggplant			
	Bingo Bingo/Majani Ngombe			
	Chapa bunduki/Chapa bunduki			

Crops Lookup Business

Surveying the Site

Survey Details

Surveyor:

SURVEYED SHAPE

EXISTING SHAPE

Shape Area

Official Area:

1.4444

Hectare

GET AREA

Calculated Area: 1.4444 Hectare

Coordinate System: GCS_Aus66

View coordinates in: DMS DD

Shape Parts

Part

➔ Part 1

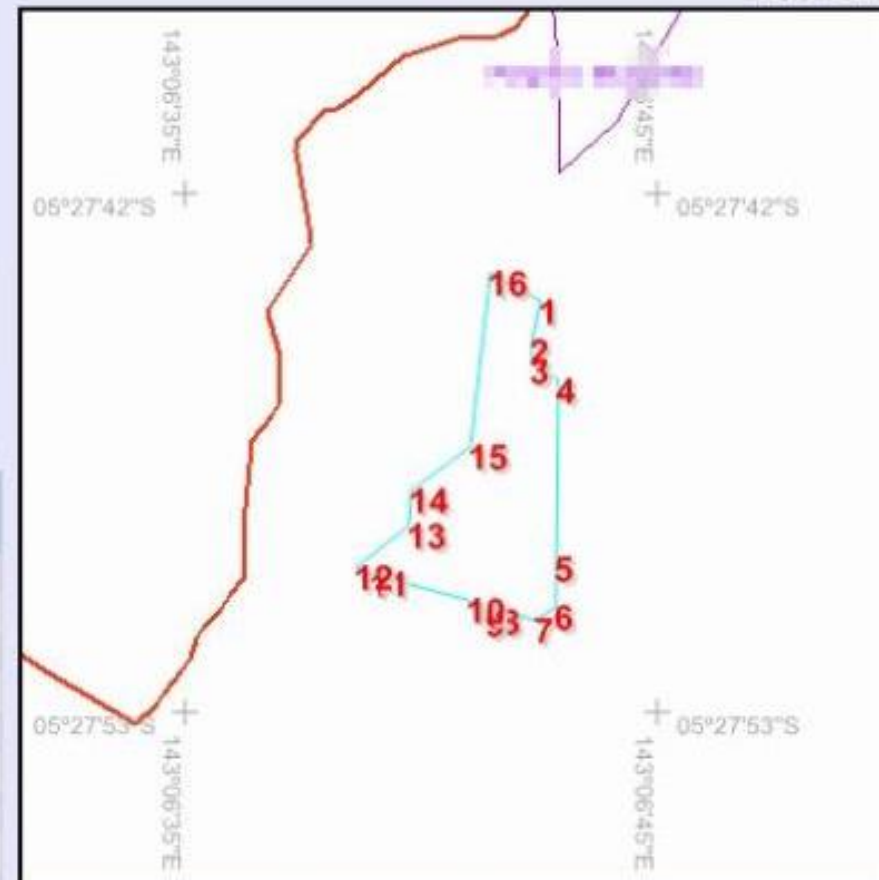
Add coordinate to part

Part Coordinates:

Unit: Degree

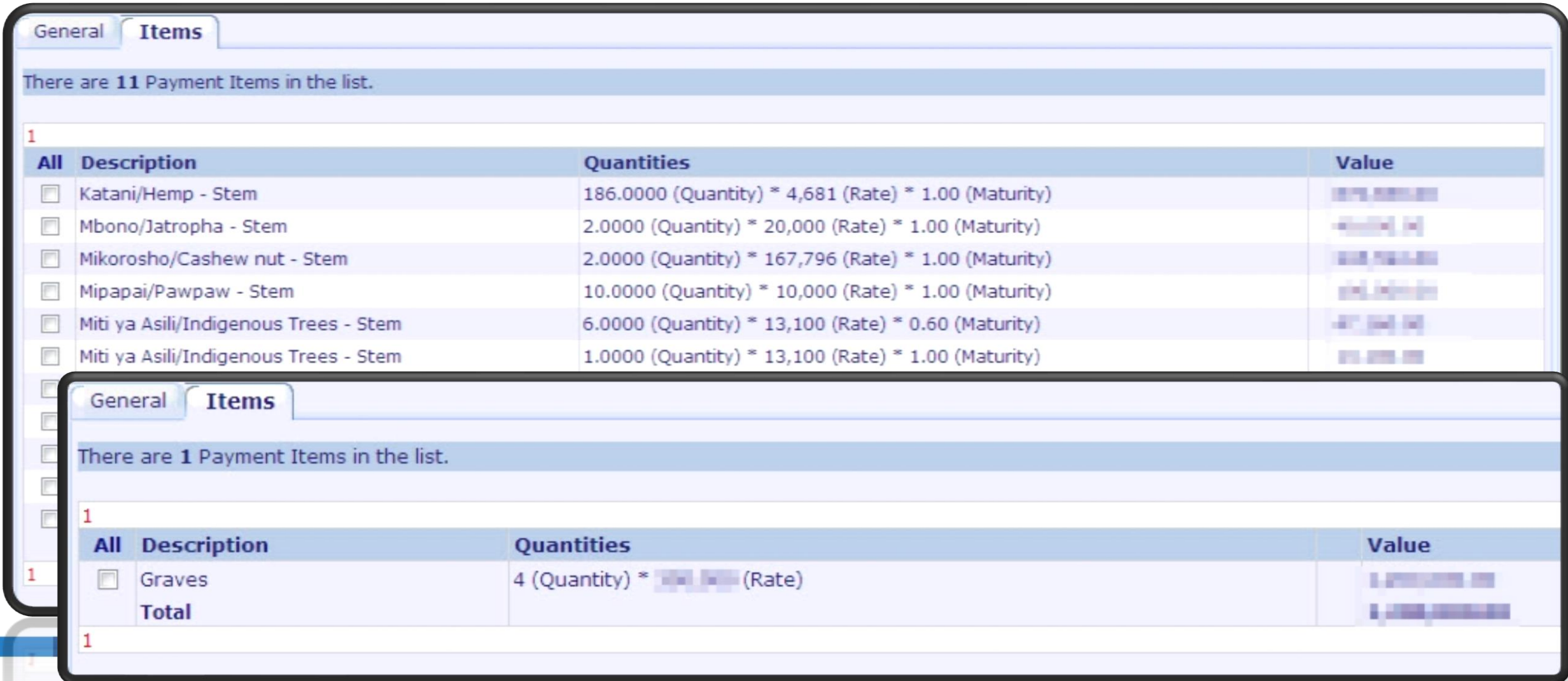
Order	Lat Deg	Lat Min	Lat Sec	N/S	Long Deg	Long Min	Long Sec	E/W
1	5	27	44.27	S	143	6	42.55	E
2	5	27	45.12	S	143	6	42.34	E
3	5	27	45.54	S	143	6	42.35	E
4	5	27	45.94	S	143	6	42.88	E
5	5	27	49.72	S	143	6	42.87	E
6	5	27	50.78	S	143	6	42.87	E
7	5	27	51.05	S	143	6	42.43	E
8	5	27	50.87	S	143	6	41.71	E
9	5	27	50.90	S	143	6	41.41	E

copy current shape
copy existing shape



Payment Calculations

- Line items including number of crops, graves, huts etc.



The image shows a software interface with two overlapping windows. The top window displays a list of 11 payment items, and the bottom window is a zoomed-in view of the first item, 'Graves'.

Top Window: 11 Payment Items

There are 11 Payment Items in the list.

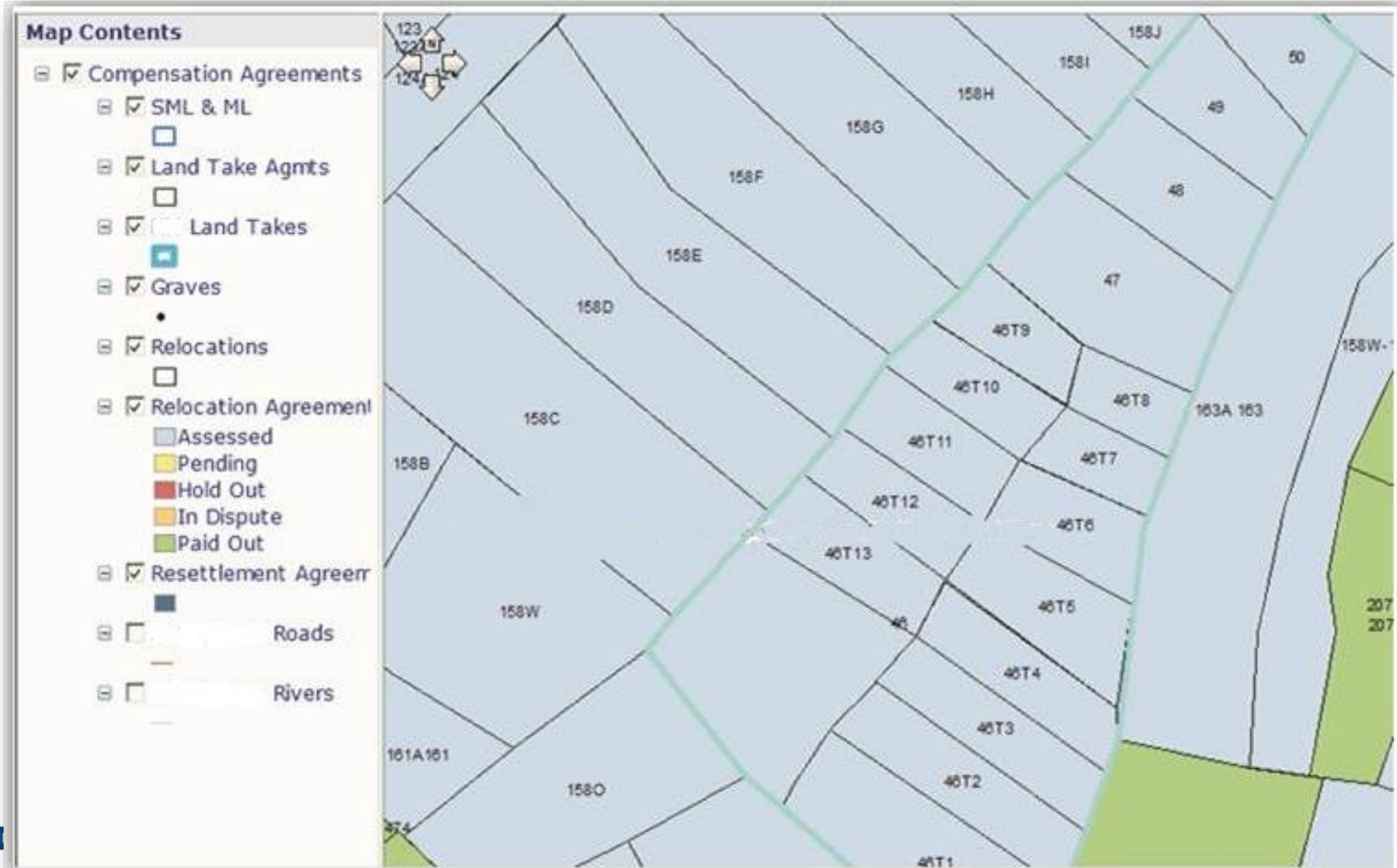
All	Description	Quantities	Value
<input type="checkbox"/>	Katani/Hemp - Stem	186.0000 (Quantity) * 4,681 (Rate) * 1.00 (Maturity)	850,000.00
<input type="checkbox"/>	Mbono/Jatropha - Stem	2.0000 (Quantity) * 20,000 (Rate) * 1.00 (Maturity)	40,000.00
<input type="checkbox"/>	Mikorosho/Cashew nut - Stem	2.0000 (Quantity) * 167,796 (Rate) * 1.00 (Maturity)	335,592.00
<input type="checkbox"/>	Mipapai/Pawpaw - Stem	10.0000 (Quantity) * 10,000 (Rate) * 1.00 (Maturity)	100,000.00
<input type="checkbox"/>	Miti ya Asili/Indigenous Trees - Stem	6.0000 (Quantity) * 13,100 (Rate) * 0.60 (Maturity)	47,160.00
<input type="checkbox"/>	Miti ya Asili/Indigenous Trees - Stem	1.0000 (Quantity) * 13,100 (Rate) * 1.00 (Maturity)	13,100.00

Bottom Window: 1 Payment Item

There are 1 Payment Items in the list.

All	Description	Quantities	Value
<input type="checkbox"/>	Graves	4 (Quantity) * [Rate]	[Value]
	Total		[Total Value]

Mapping Interface



Acacia Resettlement Process (2)

7. Generate Valuation Reports (Government)
8. Create Resettlement Agreement (if eligible)
9. Print Payment Summary Report (for internal Approval)
10. Print Individual Compensation Schedules
11. Payout Meetings, with following outcomes:
 - Paid Out
 - Contesting / Hold Out
 - Title In Dispute


Valuation Report

DETAILED VALUATION REPORT FOR COMPENSATION OF PROJECT AFFECTED PERSONS WITHIN [REDACTED]

DISTRICT, [REDACTED]

PROJECT OWNER: [REDACTED]

PROJECT NAME: [REDACTED]

Compensatee Name	Description	Unit	Quantity	Unit Rate	Depreciation	Value (TSH)
54 - [REDACTED]	Land Value	Hectare	0.1021	[REDACTED]		[REDACTED]
	House No .1: Iron sheet & wooden roof, Burn bricks wall chipping out side & coloured inside, Coloured ceiling board, Wooden iron steel & wire mesh window, 2 rooms, Wooden & coloured doors, Cemented floor (Inhabited)	Square Meter	18.4800	[REDACTED]		[REDACTED]
	House No.2: Iron sheet & wooden roof, Burn bricks wall chipping out side plaster & colour, Coloured ceiling board, Wooden iron steel & wire mesh window, 2 rooms, Wooden doors, Cemented floor. (Inhabited)	Square Meter	24.9600	[REDACTED]		[REDACTED]
	Houser No.3: Thatch roof, Mud bricks wall, 1 room, Wooden door, Mud floor. (Inhabited)	Square Meter	7.5500	[REDACTED]	5%	[REDACTED]
	House No.4: Thatch roof, Mud bricks wall, 1 room, Wooden doors, Mud floor. (Inhabited)	Square Meter	12.5700	[REDACTED]	5%	[REDACTED]
	Graves		1	[REDACTED]		[REDACTED]
	Toilet: Mud bricks wall,Iron sheet door, Mud floor.	Square Meter	1.6900	[REDACTED]		[REDACTED]
	Well		1	[REDACTED]		[REDACTED]
	Migomba/Bananas - 80%	Hectare	0.1020	[REDACTED]		[REDACTED]
	Mipapai/Pawpaw - 100%	Stem	46	[REDACTED]		[REDACTED]
	Mwembe/Mango - 100%	Stem	39	[REDACTED]		[REDACTED]
	Mwembe/Mango - 20%	Stem	5	[REDACTED]		[REDACTED]
	Kahawa/Coffee - 100%	Stem	11	[REDACTED]		[REDACTED]
	Kahawa/Coffee - 70%	Stem	8	[REDACTED]		[REDACTED]
	Machugwa/Oranges - 80%	Stem	5	[REDACTED]		[REDACTED]
	Mparachichi/Avocado - 100%	Stem	1	[REDACTED]		[REDACTED]
	Mparachichi/Avocado - 50%	Stem	1	[REDACTED]		[REDACTED]
	Miti ya Asili/Indigenous Trees - 100%	Stem	11	[REDACTED]		[REDACTED]
	Miti ya Asili/Indigenous Trees - 60%	Stem	13	[REDACTED]		[REDACTED]
	Mikorosho/Cashew nut - 100%	Stem	2	[REDACTED]		[REDACTED]
	Mikorosho/Cashew nut - 30%	Stem	1	[REDACTED]		[REDACTED]
	Pilipili manga/Black pepper - 80%	Stem	20	[REDACTED]		[REDACTED]
	Miti Kaburi/Mibono/Castor Oil - 100%	Stem	1	[REDACTED]		[REDACTED]
	Michongoma/Thorn Tree - 100%	Stem	1	[REDACTED]		[REDACTED]
	Katani/Hemp - 100%	Stem	300	[REDACTED]		[REDACTED]
	Katani/Hemp - 30%	Stem	150	[REDACTED]		[REDACTED]
					Subtotal	[REDACTED]
					Disturbance Allowance 5%	[REDACTED]
	Accommodation Allowance	Month	36	[REDACTED]		[REDACTED]
	Transportation Allowance			[REDACTED]		[REDACTED]

Individual Compensation Schedule

COMPENSATION SCHEDULE PHASE 19

Beneficiary Name(s): [REDACTED]

ID Number: [REDACTED]

Parcel Number: 1

Area: 0.0218 ha

Land Owner Name: [REDACTED]

Village: [REDACTED]

Hamlet: [REDACTED]

District: [REDACTED]

Region: [REDACTED]

Check Number: [REDACTED]



In-Kind Compensation

Description	Area (m2)
House No. 1 Round Hut, Thatch Roofed, stone and mud wall (Inhabited)	2.1200
House No. 2 Round Hut, Thatch Roofed, stone and mud wall (Inhabited)	2.7000
TOTAL ENTITLEMENT	4.8200

Land, Buildings, Crops and Other Items - Government Rates - Disturbance Allowance Applicable

Description	Unit	Quantity	Unit Rate	Value (TSH)
Land				
Land Value	Hectare	0.0218	[REDACTED]	[REDACTED]
Buildings				
Mud Hut (Inhabited) (from Parcel 1A)	Square Meter	1.2000	[REDACTED]	[REDACTED]
House No. 1 Round Hut, Thatch Roofed, stone and mud wall (Inhabited)	Square Meter	2.1200	[REDACTED]	[REDACTED]
House No. 2 Round Hut, Thatch Roofed, stone and mud wall (Inhabited)	Square Meter	2.7000	[REDACTED]	[REDACTED]
House No. 3 Round Hut, Thatch Roofed, stone and mud wall (Inhabited)	Square Meter	2.8000	[REDACTED]	[REDACTED]
House No. 4 Round Hut, Thatch Roofed, stone and mud wall (Uninhabited)	Square Meter	2.4000	[REDACTED]	[REDACTED]
Crops				
Mpera/Guava - 100%	Stem (from Parce	5.0000	[REDACTED]	[REDACTED]
Mwembe/Mango - 25%	Stem (from Parce	8.0000	[REDACTED]	[REDACTED]
Other Items				
Graves		1	[REDACTED]	[REDACTED]
Pit Latrine		2	[REDACTED]	[REDACTED]
Fence		1	[REDACTED]	[REDACTED]
Subtotal				[REDACTED]
5% Disturbance Allowance of Government Valuation				[REDACTED]

Allowances - Disturbance Allowance Not Applicable

Allowances	Month	Quantity	Unit Rate	Value (TSH)
Accommodation Allowance	Month	36	[REDACTED]	[REDACTED]
Transportation Allowance			[REDACTED]	[REDACTED]
Subtotal A				[REDACTED]

Managing Relocation of Graves

- Specialised negotiators:
 - Single grave
 - Family graveyards
- Solutions:
 - Compensation Payment per grave according to a government rate
 - Move grave(s) to a new site (pay for exhumation, new coffin, new re-burial ceremony , funeral costs etc.)
- Highly Sensitive Issues:
 - Family graveyards
 - Inappropriate grave relocation sites
 - Religious issues

	A	C	D
1	Graves	Assign to Owner	
2	*****	YES	
3			
4			



Case Study: Barrick PNG Damage Compensation



Compensation for Damages

Claims from:

Blasting

Tailings

Drilling

Vehicles

Shape Change Details

NEW SHAPE | OLD SHAPE

Shape Area

Official Area: 0.05 Hectare GET AREA

Calculated Area: 0.05 Hectare

Define shape dynamically:

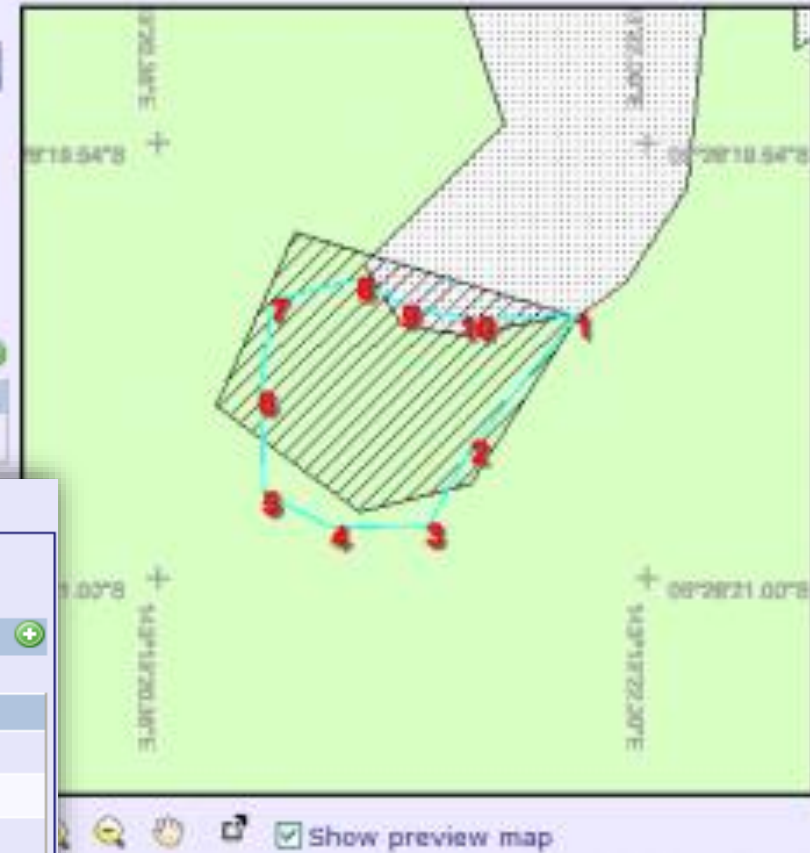
Coordinate System: GCS_Aus66 Reproject

View coordinates in: DMS DD

Shape Parts

Edit, Del, Part

Part 1



General | Items

There are 7 Payment Items in the list. Tools: +

Del.	Edit	Description	Quantities	Value
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Commercial Crops	14.00 (Amount)	14.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Other Commonly Used Plants & Trees	480.00 (Amount)	480.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Edible Plants	0.00 (Amount)	0.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Forest Trees	0.00 (Amount)	0.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Man Made Structures	450.00000000 (Amount)	450.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grave & Other Sites	0.00 (Amount)	0.00
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Per Hectare Valuations	0.00 (Amount)	0.00
		Total		944.00

Successful Case Study: Acacia Mining Kenya

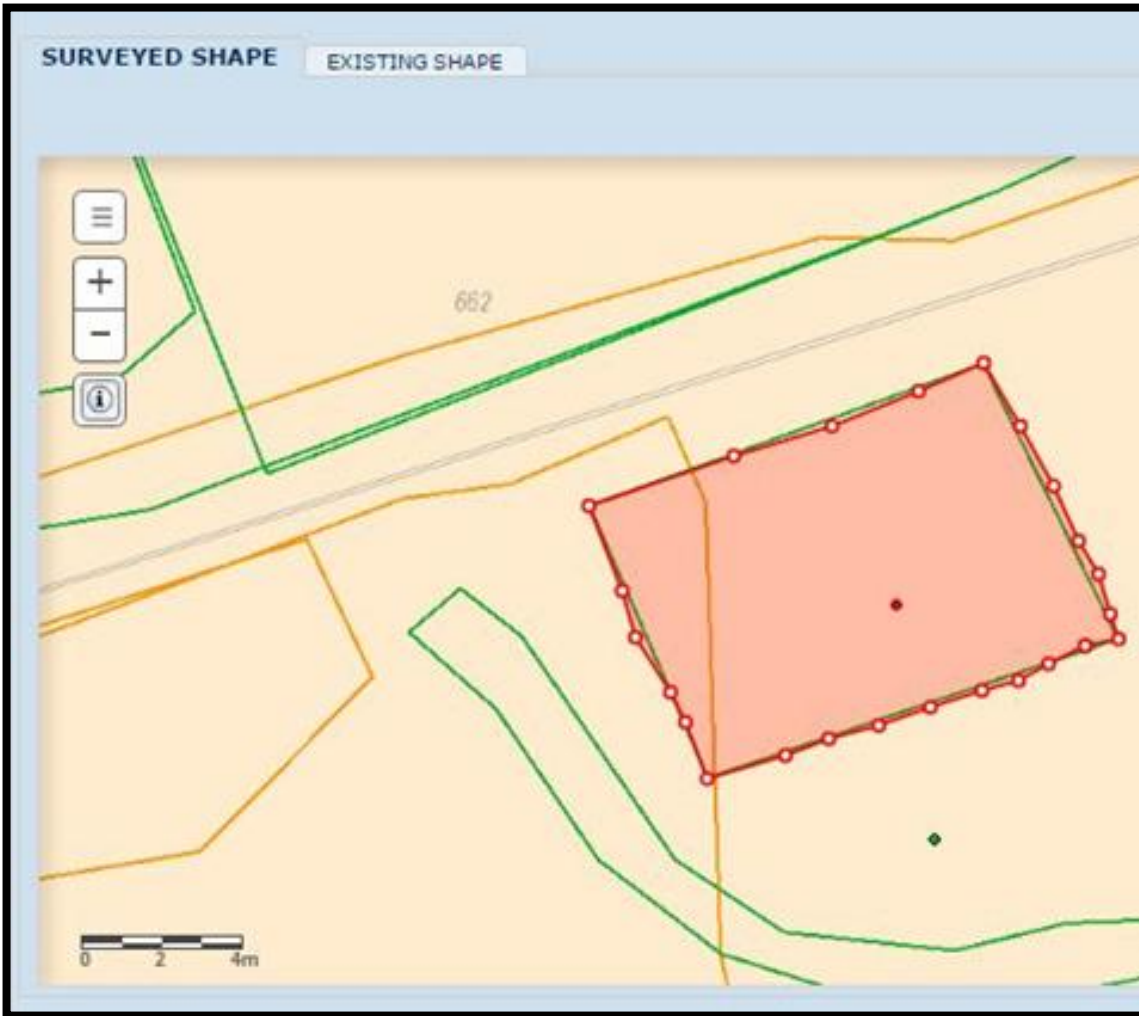
Damage Compensation for Exploration in West Kenya

Kenya Sites

- Kakemega County
- Siaya County
- Vihiga County



Land Parcels Planned & Drilled Holes



Condition Details

General **Shape** Actions

Coordinate System: WGS84 UTM Zone 36N

Points

Part 1

Viewing point: Part 1

East (x)	North (y)
687574	21570

Parts:

Part 1

Viewing Coordinates of: Part 1

	East (x)	North (y)
1	689439.86	20936.96
2	689438.91	20936.48
3	689438.17	20936.06
4	689437.22	20935.8
5	689435.89	20935.37
6	689434.57	20934.9
7	689433.3	20934.58
8	689432.19	20934.16
9	689430.18	20933.57
10	689429.62	20934.99

00°11'22" N 34°42'07" E



**DAMAGE COMPENSATION SCHEDULE
EXPLORATION PROGRAM DD2015-1**

Christabel Akono Otiung (DD2015-1) (LPN Undefined_2)

Land Owner:	Christabel Akono Otiung
Land Owner ID Number:	2572970
Payee:	C
Payee M-PESA Number:	718573455
Use:	Drill pad
County:	Kakemega County
Tenement Number:	SPL 231
Exploration Program:	DD2015-1
Parcel Number:	LPN Undefined_2
Area (sq m):	580.4266

Crop Items	Units	Unit Price	Unit Total
Natural pasture - 1M2	200	30,00	6 000,00
Bambara nut - 1M2	2 000,00	10,00	20 000,00
Sweet Potato - 1M2	150	10,00	1 500,00
Napier grass - 1M2	180	25,00	4 500,00
Amaranths - 1M2			
Amaranths (grain)			
Amaranths (vegetable) - 1M2			
Arrow Roots - Stem			
Arrow Roots - 1M2			
Avacado (Fully Matured) - Stem			
Avacado (Matured) - Stem			
Avacado (Medium) - Stem			
<i>Assessment Subtotal</i>			32 000,00

Disturbance Compensation	Hole ID#	Item Amount
Drill Hole - Diamond	DDPLN37	25 000,00
<i>Disturbance Compensation Subtotal</i>		25 000,00

Compensation Payment Approval Summary

Agreement Code	Agreement Name	PMT: Damage Crops	PMT: Damage Disturbance	PMT: Damage Other	PMT: Damage M-PESA	Total Payment	Payee M-PESA No	M-PESA Transaction No.	Date Paid
AF0023691	Johr Mubwa Mubwa (DD2017-1) (LPN_1531_5)	0.00	25,000.00	0.00	187.00	25,187.00	0727407917		
AF0023693	Alex (DD2017-1) (LPN_1080_1)	0.00	25,000.00	0.00	187.00	25,187.00	720342047		
AF0023694	Felitas Imbulira Lukano (DD2017-1) (LPN_1310_1)	0.00	25,000.00	18,100.00	275.00	43,375.00	0706281588		
AF0023695	Johnson Shimanyula (DD2017-1) (LPN_1302_1)	0.00	0.00	65,394.00	330.00	65,724.00	0723689993		
AF0023696	Maurice Shihemi Muliro (DD2017-1) (LPN_1065)	1,800.00	50,000.00	63,900.00	330.00	116,030.00	0724694060		
AF0023697	Protus Kweyu Ilabonga (DD2017-1) (LPN_1000)	600.00	0.00	14,500.00	176.00	15,276.00	0712191703		
AF0023701	Marciana Khasala Selete (DD2017-1) (LPN_903)	1,800.00	25,000.00	53,250.00	330.00	80,380.00	0704377232		
AF0023702	Rodger Mai Shanda (DD2017-1) (LPN_1035)	1,800.00	25,000.00	63,900.00	330.00	91,030.00	716261801		
AF0023706	Eno (DD2017-1) (LPN_1019)	87,700.00	25,000.00	0.00	330.00	113,030.00	723010494		
AF0023707	Julius Luseka Kwayumba (DD2017-1) (LPN_449_1)	31,950.00	0.00	0.00	187.00	32,137.00	0723244431		
Total						607356.00			

Recommended By: _____


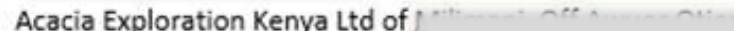
Date: _____


Approved By: _____

Date: _____

Letters Confirming Satisfactory Rehabilitation

CONFIRMATION OF SATISFACTORY COMPENSATION AND REHABILITATION

I,  having an Identification Number of 25752970 do hereby acknowledge that Acacia Exploration Kenya Ltd of  Road, PO Box 1416, Kisumu 40100 ("AEKL") did, with my permission, access my land for the purpose of conducting prospecting and exploration activities on mineral rights held by AEKL.

I understand that AEKL has drilled Exploration Hole number/s  on my land and/or has conducted trenching or similar activity on such land.

I certify that I have been fairly compensated for such access, disturbance and damage to crops and other assets belonging to me and that I am satisfied with the rehabilitation of the site.

I further certify that the photographs provided below are a true reflection of the site before and after such activities were conducted and that I will present no further claims for compensation in connection with such activity. |

Signed by: _____ Dated: _____

Signature or Thumbprint of 

Witnessed by:

Name: _____ Name: _____

Date: _____ Date: _____

Accepted by:

Name: _____ Name: _____

Agent for AEKL

Agent for AEKL

Date: _____ Date: _____

Site Photo (Pre Drilling):



Site Photo (Post Drilling):



Tracking Grievances

- Link/Relate grievances to historic land compensation and damage records
- Ability to identify trends and gaps in the compensation process
- Adds Transparency and Reporting

“All mining companies are charged with a ‘License to Operate’ – ‘Social Responsibility’ matters now more than ever before”

Barrick Gold Corporate Director of Lands



Grievance Reports



GRIEVANCE MANAGEMENT STATUS REPORT NORTH MARA MINE Reporting Period: 11 Jan 2019 - 17 Jan 2019 (Weekly)

SUMMARY

Total Grievances Received:	5
Grievances Resolved:	3
Grievances Active:	29

Implicated Department	Name	Type	Subject Matter	Description	Status
Human Resources	James Mwangi Mwangi	Complainant (Male)	Social-Employment	That, they were working with underline company but during termination, they were not given the following items Salary slips from jan - Dec 2018, NSSF from Jan - Dec,2018. Payments for weekends and holidays worked and termination letter	First Order
Human Resources	Paul Mbusiro	Complainant (Male)	Social-Employment	That Paul Mbusiro (Mine employee) gave him a job (Casual Labor) during the erection of speculation and failed to pay him	Resolved (Baseless)
Investigations Group	Miriam Marwa Mweri	Complainant (Female)	Non-Employee Accidental Injury	it was on 13th December 2018 at 9 or 10 am where Bhoke Marwa Mweri was intruding at Gokona, during the process she was injured by stones. she was taken by police officer to Nyamongo police station to take PF3 and sent to sungu sungu hospital, but when reached there she was already dead	Referred (IG)
Environment	Mgata Mwangi	Complainant (Male)	Other	It was on 25th December 2018 at 1330hrs while the mining were conducting blasting their house fallen down. they reportedd to the village Liaison Officer (Ghati) and the village chairperson and hamlet secretary as well	First Order
Investigations Group	Nyakorema Nwita Nyageta	Complainant (Male)	Non-Employee Accidental Injury	It was on 26th December 2018 while he was going to tailing dam for intruding he met sungu sungu guard called Irondo Mwita he asked him where is was going and responded that he was going for find GBM but suddenly the sungu sungu guard hit him with stick (rungu)	Referred (IG)



Our Goal



Transforming the way land tenure is secured and land assets are managed

