



NYUMBAYAAKIBAsari

Stakeholder

Engagement

Plan

AUGUST 2013

Stakeholder Engagement Plan
For
Nyumba Ya Akiba Cement Plant Project,
Bas Congo Province of Democratic Republic of Congo

Prepared by
Nyumba Ya Akiba sarl
in association with
SRK Consulting (South Africa) (Pty) Ltd

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List of Acronyms and Glossary of Terms

AP	Action Plan
AFBD	African Development Bank
BID	Background Information Document
CBOs	Community-based Organisations
SDP	Sustainable Development Plan
CLO	Community Liaison Officer
CRR	Comment and Response Report
DRC	Democratic Republic of the Congo
DSR	Draft Scoping Report
EMPs	Environmental Management Plans
EMPP	Environmental Management Plan of the Project
ESIA	Environmental and Social Impact Assessment
FSR	Final Scoping Report
ICMM	International Council on Mining and Metals Principles
I&APs	Interested and Affected Parties
IFC	International Finance Corporation
NGOs	Non-Government Organisations
NYA	Nyumba Ya Akiba SARL
PAPs	Project-affected persons
RAP	Resettlement Action Plan
UNHCR	United Nations High Commissioner for Refugees
SCP	Social Closure Plan
SE	Stakeholder Engagement
SRK	SRK Consulting
SEP	Stakeholder Engagement Plan

SER	Stakeholder Engagement Report
SDP	Sustainable Development Plan
TOR	Terms of Reference
WBG	World Bank Group
Environmental and Social Impact Assessment (ESIA)	The former title of the environmental review document that the IFC required.
Environmental Assessment (EA)	The process of evaluating the environmental and social impacts of a project and identifying ways to improve the project by preventing, minimizing, mitigating, or compensating for adverse impacts. Environmental assessment is the responsibility of the project sponsor. (IFC documents use the terms “Environmental Assessment,” “Environmental Impact Assessment” (EIA), “Social and Environmental Impact Assessment” (SEIA) as well as “Environmental and Social Impact Assessment” (ESIA).)
Environmental Assessment Report:	Report documenting the results of an Environmental Assessment.
Local communities	Communities/Villages within the Project operational area that: • Are physically located within the lease area, or • Communities / Villages in the immediate vicinity of the lease area.
Project Affected People	Any person who, as a result of the implementation of the Project, loses the legal or traditional right to own, use or otherwise benefit from a built structure, land (residential, agricultural, pasture or natural areas), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, temporarily or permanently.

1 Introduction

Nyumba Ya Akiba SARL (NYA) proposes to install and operate a new cement project in the Bas-Congo Province of the Democratic Republic of the Congo (DRC), using indigenous limestone and clay as raw materials.

Stakeholder engagement forms an integral component in the development of any project. NYA has appointed SRK Consulting (SRK) to develop a Stakeholder Engagement Plan (SEP) for its proposed Cement Project – covering the different phases of the life of the project.

The aim is to design a pragmatic and practical SEP and Action Plan to enable NYA to implement an effective sustainable stakeholder engagement programme throughout the life of the project to ensure that:

- Key stakeholders are identified early;
- Stakeholders are engaged pro-actively throughout the life of project;
- Key issues, interests and concerns are identified and addressed; and
- Risks are identified early and managed correctly.

1.1 Overview of the proposed NYA Cement Project

NYA proposes to develop the Cement Project within its concession and lease rights area in the Songolo Territory of the Bas-Congo Province of the DRC.

The proposed project is located approximately 35 km southwest of Kimpese city, 2km from the N1 National Highway between Kinshasa and the port city of Matadi, 250km southwest from Kinshasa and 100km east of Matadi Port.

The proposed components of the project are as follows:

- Limestone quarry (Limestone, clay and laterite will be extracted as raw materials for the cement production process)
- Cement processing plant (Raw materials from the quarry will be crushed in a crusher and will undergo various processes before the final cement product is available. It is estimated that 1,181,440 tonnes per annum of cement will be produced, and the plant will operate 330 days per year);
- Access roads to transport raw materials from the quarry to the plant;
- Power and water supply infrastructure
- Coal and heavy fuel supply.

Currently, the only access to the site is from the N1 road, via the dirt road passing through the village of Minkelo (west of the concession). A new access road will be constructed linking the site to the national road to avoid heavy traffic through the existing villages in the vicinity of the project site. Please refer to locality map in **Error! Reference source not found..**

An Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP), i.e. for the cement project and limestone quarry was conducted in December 2010 by an accredited local consultant to fulfill Congolese environmental and social regulations, for which an operation permit was granted by the DRC authorities in 2011. In order to satisfy lender requirements, NYA commissioned the preparation of an ESIA for the cement project, limestone quarry and some associated facilities, conducted by ECTECH environmental consultants.

A lender due diligence conducted in May 2013, by Environmental Resource Management (ERM) identified a number of gaps in the ESIA, in addition to assessing its overall alignment with international standards. The due diligence identified that the project exhibits a status of partial alignment with the requirements of the Equator Principles and that appropriate systems and management plans need to be developed to reduce unaddressed risks. The study concluded that an urgent update of the ESIA is required, including the drafting of a Stakeholder Engagement Plan (SEP) to ensure compliance with the abovementioned international standards.

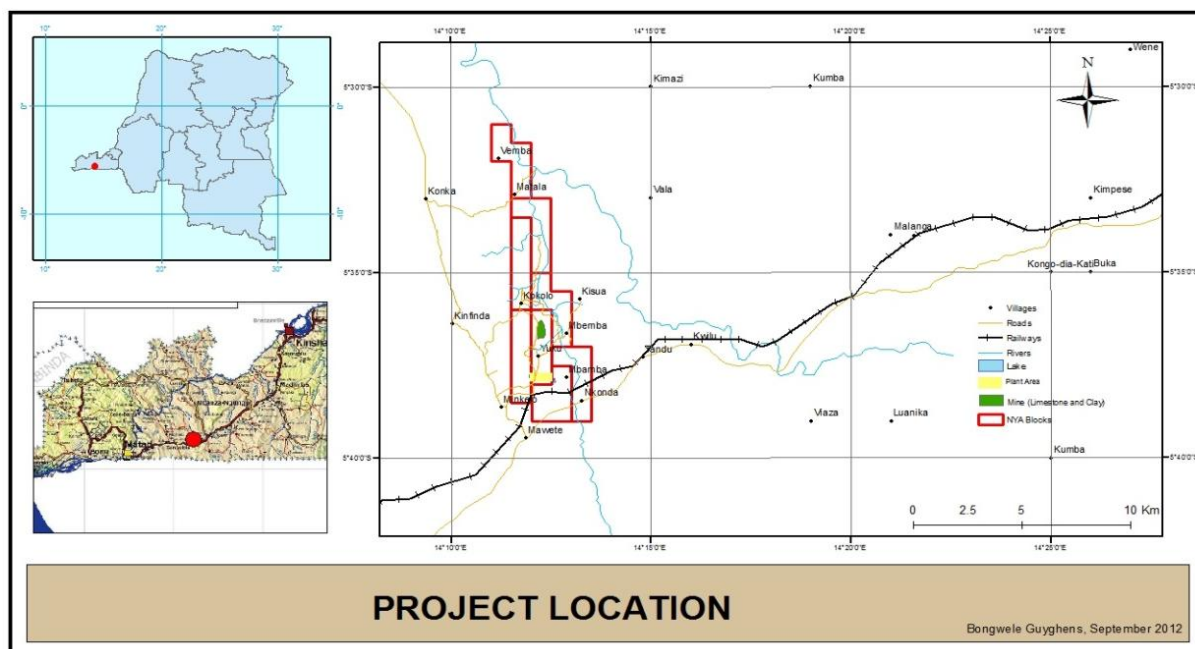


Figure 1-1: Project Location, showing Concession (Lease) Area and villages

1.2 Scope of the Stakeholder Engagement Plan

This document represents the Stakeholder Engagement Plan for NYA's proposed Cement Project. It provides guidance on stakeholder engagement during the feasibility phase (which is the current phase of the project), and during the construction, operation and closure phases of the project. The draft SEP also includes generic guidance on the typical stakeholder engagement process to be followed in possible future environmental authorisation processes i.e. an Environmental and Social Impact Assessment (ESIA).

1.3 Limitations and assumptions

The SEP as set out in this document serves as a guideline for stakeholder engagement and is prepared with available information regarding the project description, social and environmental context for this project.

This SEP must be reviewed and refined by NYA to ensure that it aligns with NYA corporate objectives and approach. Thereafter, it is recommended that the Strategy be reviewed and updated at least on an annual basis.

1.4 Outline of this Stakeholder Engagement Plan

The SEP contains the following sections:

- **Section 2:** The relevant local and international policies and guidelines on which the stakeholder engagement for the NYA Cement Project is based;

- **Section 3:** The strategy and approach to stakeholder engagement for the NYA Cement Project, summarising the information used in formulating the approach leading to the vision, goals and objectives for this SEP;
- **Section 4:** Stakeholder identification, categorization, analysis, and stakeholder database management;
- **Section 5:** Overview of stakeholder engagement undertaken during the project feasibility phase;
- **Section 6:** Strategy for ongoing stakeholder engagement during the life of the Cement Project;
- **Section 7:** Stakeholder engagement during construction;
- **Section 8:** Stakeholder engagement during operation;
- **Section 9:** Stakeholder engagement during closure;
- **Section 10:** Proposed Action plan to initiate stakeholder engagement activities during construction;
- **Section 11:** Monitoring and evaluation processes; and
- **Section 12:** References

2 Governance and Regulatory Framework for stakeholder engagement

The development of this SEP is guided by international standards and guidelines pertaining to public consultation and disclosure as well as the DRC legislative requirements, and NYA's policies and standards.

2.1 The World Bank Group

The World Bank Group (WBG), which includes the International Finance Corporation (IFC), has been instrumental in promoting stakeholder engagement and has set out various standards and principles for stakeholder engagement, as follows:

- The IFC Performance Standards and Guideline Notes
- IFC good practice manual for public consultation and disclosure; and
- The Equator Principles.

Annexure A provides detailed information on the IFC standards and principles mentioned above.

2.2 African Development Bank

The guiding principles included in the African Development Bank's relevant guidelines on public consultation, as below, were taken into account in the development of this SEP, and the associated stakeholder identification and analysis:

- Handbook on Stakeholder Consultation and Participation in African Development Bank operations (2001)
- Framework for Enhanced Engagement with Civil Society Organizations (2012).

These guidelines promote participation in development as a process through which people with an interest (stakeholders) influence and share control over development initiatives and the decisions and resources that affect them. *In practice this involves employing measures to: identify relevant stakeholders, share information with them, listen to their views, involve them in processes of development planning and decision-making, contribute to their capacity-building and, ultimately, empower them to initiate, manage and control their own self-development.*

For more details on these guidelines and procedures, please refer to the website – see link below:

<http://www.afdb.org/en/documents/project-related-procurement/policies-and-procedures/>

2.3 The International Association of Public Participation

International Association for Public Participation (IAP2), founded in 1990, promotes and aims to improve the practice of public participation in relation to individuals, governments, institutions and other entities that affect the public interest in nations throughout the world. IAP2 developed a set of core values to be used in the development and implementation of public participation processes. The aim of these core values is to assist with making better decisions that reflect the interests and concerns of potentially affected people and entities.

Core values for the practice of public participation:

- Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process;
- Public participation includes the promise that the public's contribution will influence the decision;
- Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers;
- Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision;
- Public participation seeks input from participants in designing how they participate;
- Public participation provides participants with the information they need to participate in a meaningful way; and
- Public participation communicates to participants how their input affected the decision.

2.4 Aarhus Convention

The UN ECE Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters of October 2001 or Aarhus Convention is one of the international instruments on environmental democracy that put Principle 10 of the Rio Declaration on Environment and Development in practice.

It promotes that information is power, and environmental information in the hands of public enables it to play a meaningful role in shaping a sustainable future. For this reason, progress in sustainable development and in greening the economy is directly dependent on the meaningful engagement of civil society in decision-making. Effective access to information, public participation and access to justice are essential for transparent and accountable governance, for high quality outcomes of the decision-making and to strengthen trust of public in governing institutions.

2.5 DRC legislation pertaining to public participation

Relevant legislation and guidelines for environmental assessment and public consultation in the DRC include the Code Minier or Mining Code, Law No 007/2002 of July 11, 2002, supported by the Mining Regulations (Decree No 038/2003 of March 2003) and Annexes and Addenda to the Mining Regulations.

Please refer to Annexure B for more detail on the DRC legislative requirements and the Mining Code and Mining Regulations.

2.5 NYA Corporate Policies

2.5.1 Environmental Health and Safety Policy/ Sustainability Policy

NYA has a draft Environmental Health and Safety (EHS)/ Sustainability Policy that sets out the requirements for the implementation of a management system to manage environmental health and safety issues, specifically:

- Risk hazard management;
- Empowerment of employees and contractors to work in a safe manner;
- Requesting contractors to implement the policy and to regularly review and report on performance;
- Setting objectives for resource efficiency and pollution prevention;
- Compliance with DRC legal requirements; and
- Board and management director accountability for EHS Performance.

The Draft EHS/ Sustainability Policy specifically mentions that NYA will engage with their employees, contractors, suppliers, business partners, customers, Government and communities, and communicate expectations to all persons working with or on behalf of NYA. This policy needs to be updated to include wider consultation and engagement with all sectors of society on an ongoing basis.

3 Stakeholder engagement strategy and approach

This SEP seeks to guide the engagement program against the background of the International Finance Corporation (IFC) Performance Standards, Equator Principles, International Association for Public Participation (IAP2) Guidelines, and international and local best practice.

In emerging good practice, stakeholder engagement processes and plans are usually incorporated in a series of management plans dealing with the interface between a development project and their stakeholders (including regulatory authorities, communities, workers and shareholders). According to the IFC, “a stakeholder engagement strategy and plan describes a broader, more inclusive and continuous process between a company and those potentially impacted that encompass a range of activities and approaches and spans the entire life of a project” (IFC, 2007). This takes engagement beyond simple consultation and captures a more inclusive and extensive range of exchanges, including negotiation where necessary and the establishment of long-lasting partnerships. The modern view of engagement promotes life-of-project interaction extending all the way to closure and it must be emphasized that it is not a linear process.

The strategy is a living process and will have various iterations as it is refined and modified throughout the life of the project. During this iterative process the focus and scope of the strategy may shift in response to the changing dynamics of needs and priorities.

3.1 Understanding the various life of project stakeholder engagement processes

The diagram in Figure 3-1: Generic stakeholder engagement process for life of project 2 describes a generic stakeholder engagement process and shows the linkages between life of project, a typical environmental authorisation process (associated to any of the various life of project phases) and the key actions to be undertaken during the stakeholder engagement process.

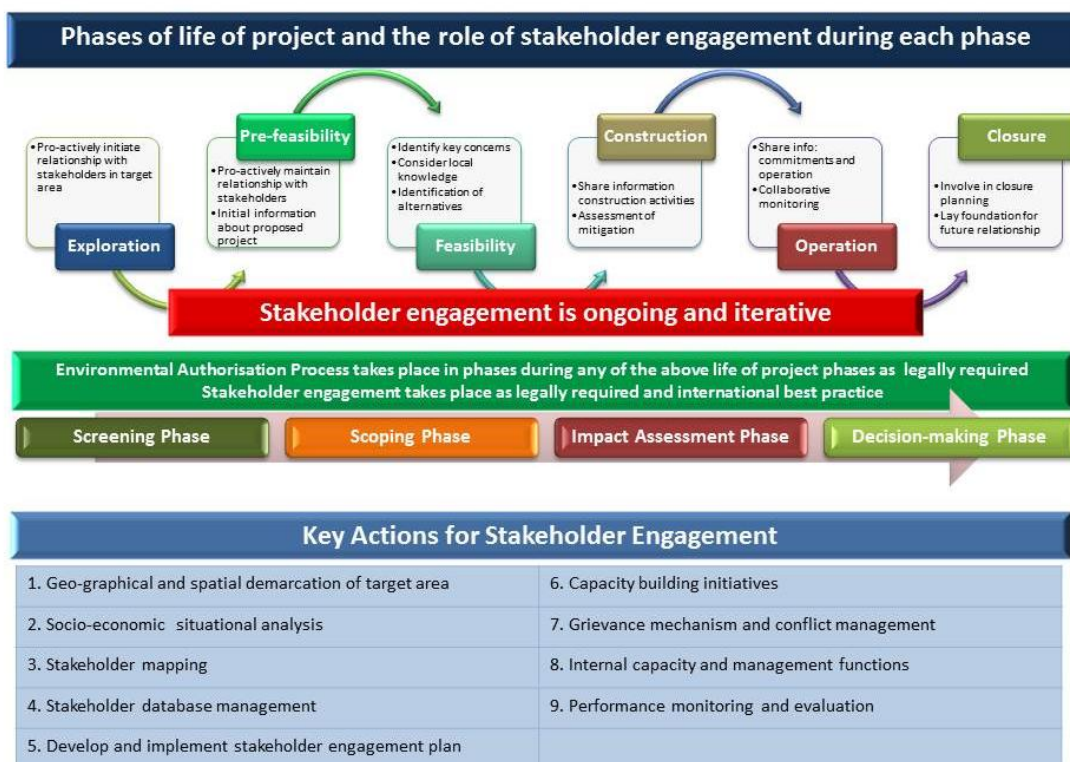


Figure 3-1: Generic stakeholder engagement process for life of project

NYA's engagement with its neighbors and stakeholders should continue for the life of the project, including during feasibility, construction, operation and eventually planning for closure. The overall objective of this ongoing engagement program is to maintain constructive and transparent relationships with stakeholders, and thereby to create a collaborative framework through which NYA can maximize its contribution to the well-being and prosperity of local communities, and can avoid and minimize negative impacts. In particular, IFC Performance Standards require that the following be achieved:

- Providing ongoing information and feedback to project-affected people and other stakeholders;
- Consulting with affected people and other relevant stakeholders on new impacts that come to light during the different phases, and incorporating community views in mitigation strategies;
- Maintaining broad community support for the project;
- Consulting with vulnerable groups and bringing to bear their views in mitigation strategies;
- Maintaining and applying a grievance mechanism; and
- Providing a platform for civil society organizations, including NGOs, to participate in the stakeholder engagement process.

Table 1 provides a comparison of stakeholder engagement for the different phases of a project.

Table 1: Comparison between stakeholder engagements for different phases of a project

	Stakeholder Engagement during exploration and prefeasibility	Stakeholder Engagement in feasibility and environmental authorisation process (ESIA)	Ongoing Stakeholder Engagement (during construction, operation and closure)
Who conducts the process?	Ideally the proponent. <i>(However, often done informally by company personnel, contractors and specialist consultants)</i>	Usually an independent consulting company.	The proponent, but potentially assisted by consultants.
Timeframe	Linked to commencement of exploration and prefeasibility studies, usually several years.	Linked to ESIA timeframe, usually 18 to 24 months.	Ongoing throughout the life of the project.
Focus	Inform stakeholders about activities taking place in their area, and gathering baseline information to inform studies.	Main focus is project-specific. Decision-orientated, i.e. to facilitate informed decisions-making by regulators on project permitting, and informed decisions by company on project feasibility.	All aspects of entire project.
Key objective	Pro-actively initiate a relationship with stakeholders to establish trust and lay a foundation for future relationships through effective two-way communication, share information, obtain input into engagement process, gain understanding of local protocol, culture etc. and key issues, perceptions, expectations, etc.	To inform, obtain issues, comments and local knowledge, and to provide feedback on findings to stakeholders for comment.	Ongoing information provision, relationship building, resolving issues and grievances pertaining to all operations.

3.2 Background to development of the SEP

The sections below outline the process and information sources used in the development of this SEP.

3.2.1 Situation analysis

A situation analysis is conducted as a first step to designing any communication strategy or Stakeholder Engagement Plan. The situation analysis provides insight into the socio-economic context, stakeholder sensitivities, perceptions, expectation, and development needs etc. It assists in determining the objectives of stakeholder engagement, the nature of the messages that need to be communicated, and provides guidance in terms of the required engagement activities. Messages to stakeholders will change from time to time, which is why any **SEP is dynamic and needs to be reviewed and updated regularly**.

The situation analysis for the NYA Cement Project was informed by:

- Previous engagement and interaction with stakeholders undertaken by NYA between 2009 and 2013
- Public consultation and socio-economic studies undertaken by ECTECH during the preparation of the Draft ESIA in 2012; and
- Engagement and socio-economic baseline study surveys conducted by SRK Consulting during the ESIA update in June 2013.

3.2.2 Socio-economic context

The project site is situated in the remote area of the Songololo Territory in the Bas-Congo Province of the DRC. Many small villages are located around the project site and utilities such as electricity and running water has not been made available to these villages. Communities follow the old traditional life style of life of the area, and low literacy rates and high poverty is prevalent. The major source of income is from small scale agriculture, such as land cultivation, goat and sheep herding and fish drying.

The nearest town is Kimpese with a population of approximately 53, 660 (2010) situated in the Cataractes District of Bas Congo Province. This town has a hospital, medical training centre, high school, technical training institute, an agricultural college and an office of the United Nations High Commissioner for Refugees (UNHCR), which provides assistance to the nearly 60 000 Angolan refugees in the area.

3.2.3 Previous stakeholder engagement and interactions engagement undertaken by NYA

NYA had various engagements and meetings with authorities and communities in the project area, as well as other interactions such as sit visits with stakeholder between 2009 and 2013, as summarised in Table 2

Table 2: NYA stakeholder engagement and interactions (2009 – 2013)

Date of meeting	Type of meeting and stakeholder group	Stakeholder Group
9 December 2009	Community meeting at project site	Mbemba Community
20 January 2010	Community meeting and project site visit	Kinsua Community
13 March 2010	Consultation and familiarisation with Periodical Audit Report (PAR) Report	Local Authorities and Kinsua Community
5 April 2010	Public information meeting regarding digging campaign	Local Authorities, Kinsua Community
20 April 2010	Field visit of Rodio Company and preparation for digging campaign	Administrative authorities, Kinsua Community, Rodio, LUIMA sector head
2 May 2010	Field visit of Holtec Company	Kinsua Community and LUIMA sector head
21 May 2010	Site visit with NYA, Rodio and Holtec and preparation of digging campaign	Holtec, Rodio, Kinsua Community and LUIMA sector head
10 June 2010	Community visit	Kinsua Community and head of Makulukulu
17 June 2010	G4S Gas company site visit to project area	Kinsua Community
24 June 2010	Launching ceremony for digging campaign	Kinsua Community and local authorities
10 July 2010	Community information on progress of digging campaign	Kinsua Community
10 August 2010	Community information on progress	Kinsua Community, head of LUIMA

Date of meeting	Type of meeting and stakeholder group	Stakeholder Group
	of digging campaign	sector and Provincial Division of Mines
20 December 2010	Community visit	Kinsua Community, Songololo Territory Administrator
7 October 2010	Preparation of convention between NYA and local population	Kinsua Community, LUIMA sector head
10 November 2010	Discussion of content of convention document	Permanent consultation framework
11 December 2010	Reception and modification of convention document by community representatives, local administrative authorities	Members of the permanent consultation framework
29 January 2013	Community meeting to address Kondo Kiomba opposition to giving consent to use their land for the NYA project	Kondo Kiomba Community
3 February 2013	Discussion of the use of Kondo Kiobia land for NYA project,	Kondo Kiombo Community representatives and LUIMA sector head
16 February 2013	Constitution of the Permanent Consultation Framework (PCF)	With the PCF and LUIMA sector head
20 February 2013	Discussion of convention document between NYA and local population	Kinsua Village representatives
18 March 2013,	Information visit from ERM Consultants	PCF and Sector Head
21 March 2013	Environmental and social situation analysis of ERM experts	Members of the PCF
25 April 2013	Visit of lenders to project area.	PCF, Territory Administrator, Sector Head and lender bank representatives
8 May 2013	Survey on non-occupied land for site identification of VODACOM antenna and relocation of Yuku Village	Representatives of 5 concerned villages, Songololo Territory Administrator, LUIMA and Kimpese sector heads and 2 principal traditional leaders in the area
17 May 2013	Public notification of VODACOM antenna installation on non-occupied land and relocation of Yuku Village	Members of the PCF and sector head
5 June 2013	Public notification meeting of update of the ESIA and site visits by SRK Consulting	SRK staff, sector head and members of the PCF
27 June 2013	Meeting with African Development Bank representatives	Sector head and 2 tribal leaders in the area and African Development Bank representatives

Engagement undertaken by ECTECH

During the ESIA undertaken by ECTECH Environmental Consultants during 2012, various consultations took places with key DRC government authorities and local communities. These meetings are listed in Table 3 below.

Table 3: Consultation meetings with authorities and local communities (2012)

Date of meeting	Type of meeting	Stakeholder Group	Approximate Number of Attendees
8 November 2012	Consultation	Environment Minister	4
8 November 2012	Consultation	GEEC and DPEM	8
10 November 2012	Community meeting	Tandi Kumbi and Nkonda Villages	24
11 November 2012	Community meeting	Nionga Village	12
12 November 2012	Community meeting	Nkondo Kiomba Villages	32
13 November 2012	Community meeting	Minkelo and Mawete Village	52
14 November 2012	Community meeting	Mbemba and Yuku Villages	17
15 November 2012	Community meeting	Kokolo Village	21
16 November 2012	Community meeting	Kinsua Village	9
17 November 2012	Consultation	Songololo Territory Office	4
18 November 2012	Consultation	District des Cataractes Office	3

Please refer to Annexure C for a summary of the comments and perceptions expressed by stakeholders during these engagements.

3.2.4 Stakeholder engagement during the ESIA update (June 2013)

SRK Consulting undertook the following focus group and key informant meetings (see Table 4)

with communities in the study area during the ESIA update which took place during June 2013.

Table 4: Focus group and key informant meetings in June 2013

Date	Type of meeting and Stakeholder Group	Approx number of attendees
11 June 2013	Information sharing & planning meeting with traditional and administrative authorities representing the Kimpese, Minkelo, Mbemba, Kondo Kiombia, Nyonga, Tandu, Kokolo, Mawete II, Yuku and Kinsua Communities.	29

15 June 2013	Focus group meeting with women in Mawete Village	13
	Focus group meeting with women in Minkelo Village	58
	Focus group meeting with men in Minkelo Village	28
	Focus group meeting with men in Mawete Village	24
	Focus group meeting with youth in Mawete Village	33
	Focus group meeting with youth in Minkelo Village	13
16 June 2013	Focus group meeting with women in Kondo Kiombia Village	12
	Focus group meeting with men in Kondo Kiombia Village	20
	Focus group meeting with youth in Kondo Kiombia Village	16
19 June 2013	Focus group meeting with women from Yuku, Mbemba, Kokolo, Kinsua Villages	31
	Focus group meeting with men in Yuku Village	5
	Focus group meeting with men from Kokolo, Mbemba and Kinsua Villages	17

Please refer to Annexure D for a summary of the comments and perceptions expressed by stakeholders during these focus group and key informant engagements.

3.2.5 Current perceptions and views held by stakeholders

Based on the situation analysis, the current perceptions and views held by stakeholders about the NYA Project, are largely positive. The main expectations and perceptions expressed by stakeholders about the project are included in Table 5.

Table 5: Stakeholders' expectations and perceptions about the NYA Cement Project

Stakeholder group	Expectations/ perceptions/ views/ concerns expressed by stakeholders
Government (national, provincial, local)	Expect that the project will result in: - Increased national economic development and industrialisation, increased growth in the DRC, job creation, social upliftment and living standards - Modernization in the DRC and increased investor interest - Increased revenue in the Songololo Territory and socio-economic development of the Province and District - Increased supply in the domestic need for cement, expected reduction in local cement prices that would make it more affordable to locals, and increased export opportunities - Increased infrastructure and improvement of infrastructure in the project area - Adherence to mining and environmental laws, other DRC regulations and respecting local communities and the environment
NGOs	Requests for financial assistance from NYA to enable them to successfully implement development projects in the area
Communities:	Look forward to :

Stakeholder group	Expectations/ perceptions/ views/ concerns expressed by stakeholders
Women	○ improvement of living conditions, (i.e. access to potable water, assistance with agricultural development, improvement of roads to markets, schools and health care facilities) ○ Improved education and awareness raising programmes, social upliftment, and positive change ○ Employment opportunities to especially husbands and youth from local communities • Concern about: ○ loss of agricultural land ○ dust and air pollution ○ facilities at Minkelo health centre being inadequate to handle the influx of people to the area for this project ○ the host community (Mbemba Village) for relocation of Yuka Village particularly in terms of inaccessibility to markets and schools during the rainy season.
Communities: Men	• Enthusiastic about: ○ job opportunities for the youth ○ community development initiatives ○ upgrade of infrastructure, eg. repairing the bridge across the Sanzikwa River ○ increased transport opportunities to transport products to markets ○ local business development opportunities ○ reduction in migration of rural communities to cities • Concern about: ○ loss/ destruction of Minkelo Hill as a religious prayer site ○ project delays that may affect socio-economic development ○ whether Yuku community would be adequately compensated during relocation, and whether their relocation preferences will be considered ○ increased alcoholism as a result of unemployment ○ degradation of natural environment due to increase in charcoal production as a livelihood, because of high unemployment in the area ○ impact on plants and animals ○ economic viability of cement project to continue paying salaries to employees
Communities: Youth	• Welcome the project because of perceived benefits related to: ○ employment opportunities ○ reduction in poverty and begging ○ community development initiatives and socio-economic development opportunities ○ assistance with sale of crops ○ cement at lower price available to communities for building houses

Based on the above analysis, the vision, and objectives for stakeholder engagement are outlined in the following sections.

3.3 Vision

The vision that NYA should work towards in its relationship with stakeholders within the project area is:

- To develop a mutually supportive and beneficial relationship with stakeholders that will be characterised by care, respect, trust, integrity, collaboration, accountability and transparency.

3.4 Overall Objectives

The overall objectives of this SEP, as outlined below, are aimed at achieving the abovementioned vision.

3.4.1 Inclusivity

Identifying and actively obtaining the inputs to the NYA Cement Project and subsequent environmental authorisation processes, on an ongoing basis from a broad spectrum of stakeholders at local, regional, national and international levels, with particular emphasis on project-affected persons (PAPs) and vulnerable groups.

3.4.2 Mutually beneficial relationships

Build and maintain relationships with stakeholders that are mutually beneficial. Specifically to:

- Pro-actively engage stakeholders as early in the project planning as possible in their own communities and throughout the life of project;
- Create an atmosphere of mutual understanding, respect, trust and collaboration by acting in an accountable, transparent and responsive manner demonstrating care and respect to stakeholders. Care must be taken to keep commitments, and to work towards collaboration and partnerships;
- Address stakeholder issues pro-actively with a view to reaching agreement as far as possible;
- Identifying, recording and responding effectively to grievances and complaints raised by stakeholders and manage conflict; and
- Meet regulatory requirements and IFC standards and principles.

3.4.3 Empowered engagement

NYA should adopt an approach to empower stakeholders so that they can engage willingly and freely. Specifically to:

- Facilitate communities in identifying their own community representatives and working with representative and accountable organisations;
- Reach as much agreement on the approach to stakeholder engagement with stakeholders as possible;
- Engage in culturally appropriate ways and be gender sensitive. Care will be taken to involve disadvantaged and vulnerable groups such as women and the youth; and
- Actively obtain inputs from a broad spectrum of stakeholders at local, regional, national and international levels, with particular emphasis on directly-affected communities.

3.4.4 Diverse and effective engagement approaches

A range of engagement approaches and methods need to be applied to meet the diverse requirements of stakeholders. Specifically to:

- Pro-actively plan engagement with specific objectives and outcomes;
- Use a range of engagement methods to suit the needs of stakeholders and enable collaborative participation;
- Build capacity among stakeholders to improve their ability to interpret the information, as well as to contribute their issues of concern and suggestions for enhanced benefits;
- Provide stakeholders with timely feedback on whether and how their inputs were incorporated into project decisions, mitigation measures, strategies for enhancing benefits, etc.; and

- Define specific actions for each stage in the project life cycle i.e. feasibility, construction and operation.

3.4.5 Extensive communication

- Provide factual and accurate information in an open and transparent manner (see Figure 3-2) on an ongoing basis during all phases of the project cycle to all target audiences in order to:
 - Avoid half-truths and misunderstandings;
 - Correct inaccurate perceptions;
 - Reduce the risk of public concern and anger;
 - Manage undue fears and undue expectations;
- Make information easily accessible in terms of language, level of complexity and enable target audiences to get hold of information easily;
- Build constructive relationships with identified key stakeholders through personal contact;
- Building the capacity of communication personnel as well as that of key members of the project team to communicate with stakeholders in accordance with the principles of effective communication and risk communication; and
- Provide sufficient opportunity for stakeholders to raise issues, make suggestions and voice their concerns and expectations with regard to the cement project operation and further project phases
- Manage expectations of the community and other stakeholders from the beginning and throughout the life of the project to ensure that the expectations are realistic and factually informed; and
- Establish well-defined channels for open two-way communication.

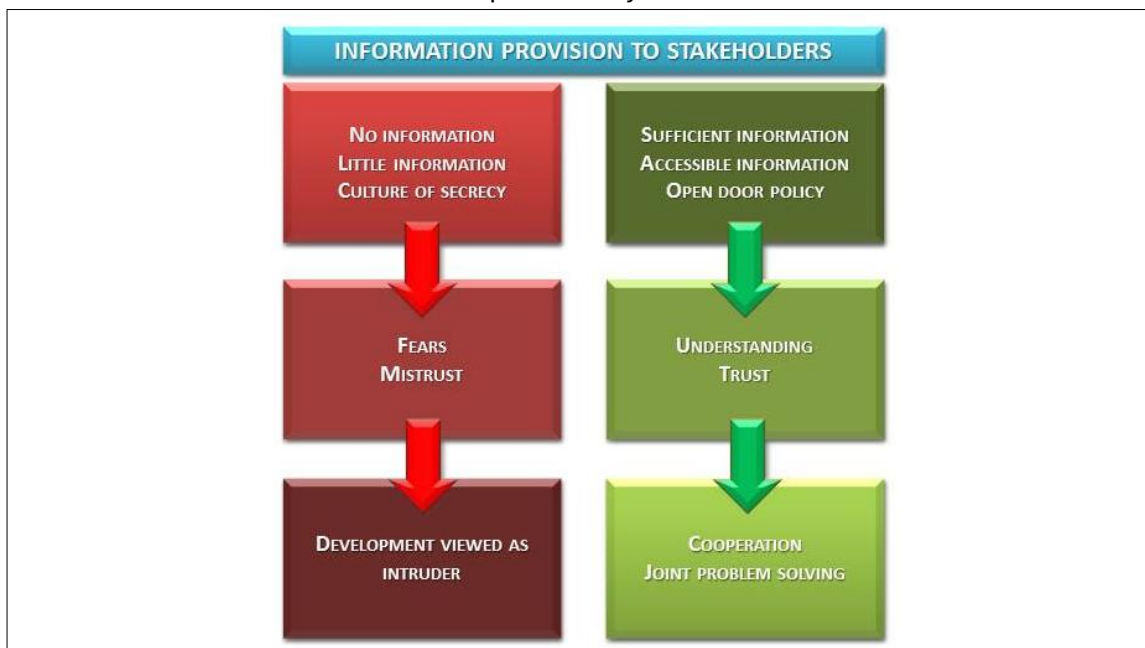


Figure 3-2: Two scenarios of information provision to stakeholders, highlighting the key role it plays in relationship development between stakeholders and a project developer

3.4.6 Internal capacity building

Ensure that the NYA Cement Project has the necessary capacity to effectively apply the SEP, specifically to:

- Set-up the internal structures and procedures such as roles and responsibilities, budget, timetables, training, monitoring and report back, internal communication lines and operating style.

4 Stakeholders for the proposed NYA Cement Project

IFC Performance Standards require identification of all project-affected communities. In accordance with this requirement, this section outlines the procedures that will be followed to identify stakeholders in the proposed NYA Cement Project; describes the system that will be implemented to record the relevant details of stakeholders; and delineates the broad categories of stakeholders that will be engaged during the public consultation and disclosure for the NYA Cement Project.

4.1 Stakeholder identification and categorisation

The ESIA conducted in 2010 and the additional socio-economic fieldwork during the ESIA update undertaken by SRK in June 2013 has identified several key stakeholders for this project. This together with the lists of stakeholders that NYA has regular contact with, and relevant stakeholders from SRK's existing databases on other projects in the area, forms the basis for the development of a stakeholder database. Further stakeholders during the life of project will also be identified through a process of networking and referral.

The broad categories of stakeholder sectors/ interest groups to be consulted, both within the project area and beyond its boundaries are listed below, together with some examples of the organisations/ portfolios that will be targeted as representing specific categories.

- **National government:** central government regulatory bodies directly involved in the project, such as the Ministry of the Environment in Kinshasa, Group d' Etudes Environnementales du Congo (GEEC), Ministry of Mines, Ministry in Charge of Water Resources, as well as other government bodies with potential indirect involvement in the project, such as the departments of health, agriculture and education.
- **Provincial government:** Governor and Deputy Governor of the Bas-Congo Province, Provincial Ministry of Environment, etc.
- **Local government:** the Administrator of the Songololo Territory (*Territoire de Songololo*) , LUIMA sector head, Chef du Centre (Centre de Minkelo), Chef de Poste, environmental representatives and other local government institutions and officials, including local government technical departments and land administrator;
- **Project affected people:**
 - People/villages who may be physically or economically displaced as a result of the activities of the proposed project, i.e. the Yuku Village that will be relocated;
 - People living near the project and all of its facilities, including people who use project-affected areas for subsistence activities or use water or other ecosystem services that may be affected by the project;
 - People whose livelihoods may be affected by the project development, for example those affected by limited/ no access to hunting;
- **Traditional leadership:** the traditional chiefs of the villages within the concession and in the surrounding areas (Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia Villages) and their headmen.
- **Business and commerce:** Chamber of Commerce, *Congo Futur – Chambre froide*, organised business and local businesses
- **NGOs:** Environmental, social, human rights and economic development NGOs, including DRC-based NGOs eg, Centré Régional d'Appui et de Formation pour le Développement (CRAFOD), CIVAK
- **CBOs:** religious groups, youth, women, community outreach groups
- **Labor Unions:** Project workers' unions, others

- **Media:** *Radio Communautaire Mbangu*, TV
- **Funding / donor organisations:** Including multilateral donor organizations, such as the World Bank and some United Nations agencies, and bilateral donor organizations with potential or actual involvement in the project area, such as United States Agency for International Development (USAID) and the United Nations High Commissioner for Refugees (UNHCR), the UN agency for Refugees, African Development Bank (AfDB), and European Investment Bank (EIB).
- **Environmental and conservation organizations:** Equipe d' Urgence de la Biodiversite' (EUB), Wildlife Conservation Society
- **Educational institutions:** Universities and schools where local academics can be mobilized to participate in the engagement process (ITP Technical College in Kimpese, Nzolo Public School in Kimpese)
- **Health:** Provincial Ministry of Health, World Health Organisation, Minkelo Health Centre, Kimpese Hospital and other local health facilities
- **Mining and industry:** Mining companies such as Barnett (in partnership with PPC, and industrial businesses in the project area
- **Service providers:** Including electricity utility company (SNEL), water supplier (REGIDISO)
- **Transport:** National railway company, Matadi Port.

4.2 Stakeholder analysis

A detailed analysis of the various stakeholder categories is necessary not only to identify the key stakeholders, but also to determine the appropriate level and methods of engagement for each stakeholder category. The level of engagement can vary from only information sharing for stakeholders who are not impacted, or who have a very low level of interest in the project, to active engagement and in-depth engagement for those stakeholders who are severely impacted, or who have a great interest in the project.

Stakeholders should be analysed according to the extent to which the project will impact them, and/ or the extent to which they have an interest in it, as well as the degree of influence that stakeholders might have over the progress and success of the project. In general, engagement should intensify and deepen as impact/interest and influence increases.

Other criteria that are important to consider during stakeholder analysis is:

- **Zone of influence:** physical location relative to the project site and potential impacts. Generally the closer the stakeholder lives to a project site, the higher their interest and the potential impacts of the project.
- **Stakeholder values:** the values stakeholders attach to the area that might be affected by the project. This includes aspects such as livelihoods, land use, ownership, heritage, and sense of place.
- **Jurisdiction:** the mandate/ influence of institutions over regulatory and public opinion.

An example of how stakeholder analysis is implemented can be understood by analysing two fictional stakeholders as set out in Table 6.

Stakeholder A is a community member of a village located adjacent to a development project, who will potentially have to be relocated.

Stakeholder B is a government institution whose responsibilities are not affected by the project and who will not have any say in whether the project goes ahead or not.

These stakeholders are analysed as follows and plotted on a matrix in Figure 4-1.

Table 6: Stakeholder analysis example

Category	Impact/Interest	Influence (+/-)
Stakeholder A: Directly affected community member	HIGH: Community member lives adjacent to the development	HIGH: Community member is against the development and is very vocal about it in the media
Stakeholder B: Local tourism department	LOW: There is little tourism in the local area and there is little impact or interest from this stakeholder in the project	LOW: The stakeholder has no decision-making powers with regards to the development

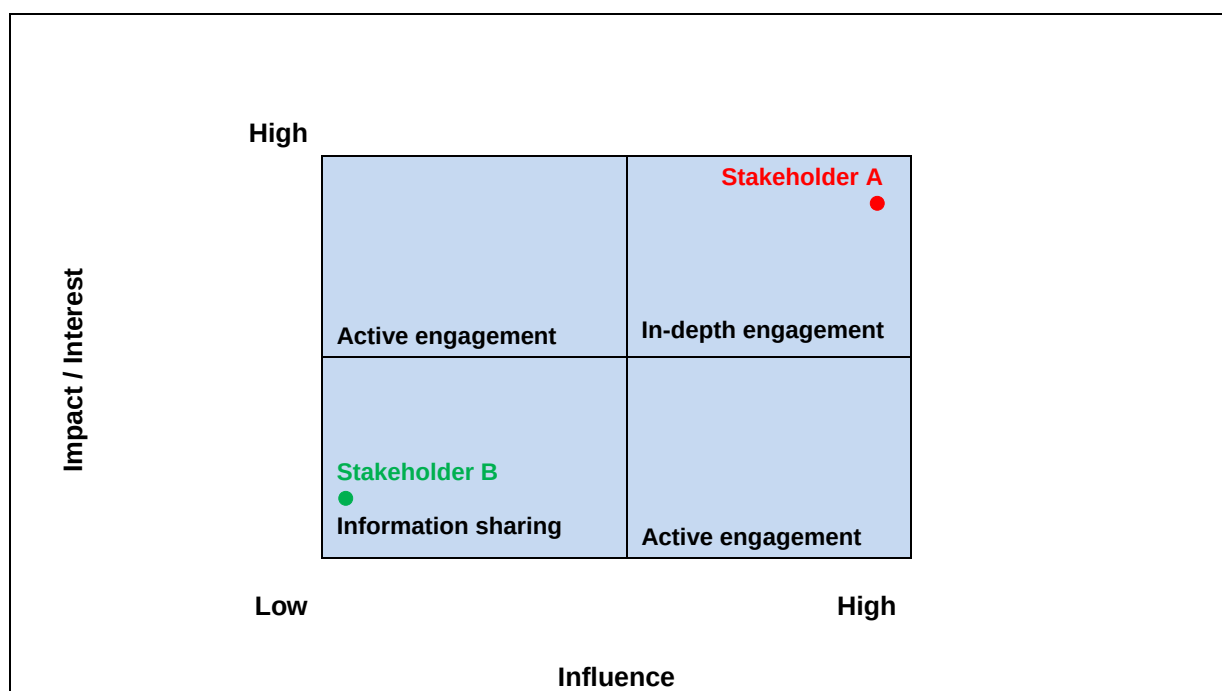


Figure 4-1: Stakeholder analysis matrix indicating level of engagement as per example

Three levels of engagement are recommended, namely information sharing, active engagement and in-depth engagement appropriate to the level of interest/impact of each stakeholder. The following methods of engagements are suggested for each level of engagement as indicated in Table 7

Table 7: Level and methods of engagement

Level of engagement	Possible methods of engagement
In depth engagement	• One-on-one briefing and informant meetings • Key focus group meetings • Presentations and posters • Information packs • Notification letters • Personal telephone calls • Information available on websites • Hand delivery of documents
Active engagement	• Key focus group meetings • Open Houses • Community meetings • Presentations and posters • Information packs (in relevant languages) • Notification letters • Sms notification • Information available on websites • Hand delivery of documents
Information sharing	• Notification letters • Information packs • Adverts in newspapers • Newsletters • Information available on websites • Sms notification

The analysis of the stakeholders for the NYA project is summarised in Table 8, providing information on the impact/ interest of each stakeholder, its expected influence in the project and the recommended level of engagement appropriate to each stakeholder.

Table 8: Stakeholder analysis

Category/Sector	Impact/Interest	Influence (+/-)	Level of engagement
National Government: Directorate for the Protection of the Mining Environment (DPEM)	HIGH: DPEM is responsible for taking the decision whether the project can proceed	HIGH: They have the greatest influence as they are the decision-makers	In depth
National Government: Other departments such as environment, health, education	MEDIUM: Not directly involved in the final decision, but may be a commenting authority and express some concerns regarding their specific interest	MEDIUM: Not directly involved in the final decision, but may have some influence as a commenting authority	In depth
Provincial and District Government	HIGH: The project is in their jurisdiction	MEDIUM: Does not have decision-making power, but has some influence on a provincial and local level	In depth
Local Government	HIGH: The project is in their jurisdiction	MEDIUM: Local Government has no decision-making power, but have influence in the local community and the media	In depth
Project Affected People: Yuku Village to be relocated	HIGH: This village has to be relocated	LOW: The villagers are in favour of being relocated	In depth
Project Affected People:	HIGH: The cement project is in close proximity to these villages,	LOW: Villagers have no decision-making power and are	In depth

Category/Sector	Impact/Interest	Influence (+/-)	Level of engagement
Other Villages in the concession	and they have high expectations for employment from the project	generally in favour of the project	
Traditional Authorities	HIGH: Village chiefs live in close proximity to the cement project, and have high expectations for employment and social upliftment	MEDIUM: Although they have no decision-making power in the final decision, they have influence over the local communities, media and local government	In depth
Funding agencies	HIGH: African Development Bank (AfDB), and European Investment Bank (EIB) for example, who will be funding the project	HIGH: They are responsible for monitoring the implementation of the project according to the environmental and social requirements of their policies and guidelines	In depth
Business and commerce	MEDIUM: May have high expectation for business opportunities from the development	LOW: No decision-making power	Information sharing
NGOs, environmental and conservation organisations	MEDIUM: Project is not expected to have severe negative impacts, but NGOs may be interested in the socio-economic impacts of the project	MEDIUM: NGOs, especially international ones can raise any issue in the local and national media	In-depth/Active
Community Based Organisations (CBOs), including women and youth	HIGH: Many of the individuals are poor and have high expectations for social upliftment	LOW: No decision-making power and little influence expected in the media	In-depth
Labour Unions	MEDIUM: Will be interested in work generation and employment for their members	MEDIUM: No decision-making power, but unions do have influence in the local community	Active
Media	MEDIUM: Not expected to be a controversial project, but interest in employment and social upliftment in the local community	LOW: Severe impacts are not expected to the environment, and not expected to a controversial project	Active
Educational Institutions	LOW: Expected to have little interest in the project	LOW: No decision-making power	Information sharing
Mining and Industry	LOW: Expected to have little interest in the project	LOW: No decision-making power	Information sharing
Service providers: SNEL	HIGH: SNEL is providing electricity to the project	HIGH: May have decision-making power regarding electricity provision	In depth
Service providers: Other	LOW TO MEDIUM: Local service providers will be interested to provide their services to the cement project	LOW: No decision-making power in the project	Information sharing/Active
Transport	HIGH: The railway line will be used to transport cement to Matadi port	LOW: No decision-making power in the project	Active

4.3 Stakeholder database management

Stakeholders' contact details from the previous engagement, those gathered during the ESIA update, and stakeholders from the various sectors of society described earlier are captured in an electronic database – refer to Excel spreadsheet, attached as Annexure E.

It is recommended that in order to record future stakeholder engagement, that NYA should obtain a database with facilities to categorise and personalise letters and e-mails to stakeholders, to capture notes linked to a person's name for e.g. comments raised, meetings attended, documentation received.

The stakeholder database should be reviewed and updated regularly by NYA during the subsequent project phases, in order to ensure that the correct stakeholders are involved and that new stakeholders are continually identified and included.

5 Stakeholder engagement during the project Feasibility Phase

Engagement and interactions with stakeholders for the environmental authorisation process (ESIA conducted by ECTECH in 2012, and subsequent ESIA update by SRK Consulting in June 2013 is detailed in **Section 3.2.3** of this report.

During the field work and engagement with stakeholders undertaken during the ESIA update, constructive interaction by members of the field teams with local communities, other stakeholders and the various regulatory authorities was important for maintain good relations with stakeholders as a foundation for NYA's potential future operation in the area.

The outcomes of the ESIA and ESIA update presented as key findings and management measures will be disclosed to the public in a Non-Technical Summary in French and Lingala in July 2013, as described below.

5.1.1 Public disclosure of findings of ESIA update (July 2013)

Following the various specialist studies and stakeholder engagement activities to update the ESIA, the key findings and management measures of the ESIA update was disclosed to the public in a Non-Technical Summary. The Non-Technical Summary describes the project and provides a summary of the key findings and recommendations of the specialist studies.

Stakeholders were notified by letter in English, French, Lingala and Kikongo, hand delivered by NYA project team members, of the availability of the Non-Technical Summary for comment from 16 - 31 July 2013, where to find the reports, and how to comment. The notification letter in English is enclosed in Annexure F.

Copies of the Summary together with comment forms in English French, Kikongo and Lingala, were made available from Tuesday, 16 July to Wednesday, 31 July 2013 in the following locations, for easy access to community members and other stakeholders such as government officials, to view and comment on:

- Local Government Sector office in Mawete (on the N1 national road)
- Nyumba Ya Akiba (NYA) office, 7eme Etage Immeuble Forescom, 16, Avenue Lukusa, Kinshasa – Gombe
- Homes of the traditional Chiefs in the Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia Villages
- On the SRK website, www.srk.co.za (also in English)

The English Summary and comment sheet are attached in Annexure G.

Stakeholders could comment by:

- Completing the comment form available with the Summary, and placing it in the Comment Box provided at the Mawete Local Government Sector office, or at the NYA office in Kinshasa.
- Writing a letter or sending an email by 31 July 2013 to:
 - SRK Consulting:
Lubumbashi: Mr Philippe Katuta; Email: pkatuta@srk.co.za; Tel: +243 81 999 9775
South Africa: Mr Vuyo Matshikiza; Email: vmatshikiza@srk.co.za; Tel: +27 11 441 1021
 - NYA
Kinshasa: Mr Patrick Vandewalle c/o Irene Kassongo; Email: ikassongo@nya-cement.com; Tel: +243 81 769 8491.

Summary reports together with the notification letter and comment form were also hand delivered to the relevant authorities in Kinshasa, the Territory Office in Songololo and Mawete Sector, as well as to traditional authorities and community leaders in the project area, for distribution to community members.

5.1.2 Way forward

Following the public disclosure period, the ESIA Report will be updated with inputs from stakeholders received by 31 July 2013. The Non-Technical Summary will however still be available in the abovementioned locations after the public comment period for stakeholders to reference.

The Final ESIA will be submitted to NYA in early August 2013.

6 Ongoing stakeholder engagement during the life of the NYA Cement Project

NYA's engagement with its neighbors and stakeholders should continue for the life of the project, extending from the engagement in the feasibility phase, and continuing during construction, operation and eventually planning for closure.

The overall objective of this ongoing programme is to maintain constructive and transparent relationships with stakeholders, and thereby creating a collaborative framework through which NYA can maximize its contribution to the well-being and prosperity of local communities, and can avoid and minimize negative impacts. In particular, IFC Performance Standards require that the following be achieved:

- Providing ongoing information and feedback to project-affected people and other stakeholders;
- Consulting with affected people and other relevant stakeholders on new impacts that come to light during construction and operation and incorporating community views in mitigation strategies;
- Maintaining broad community support for the project;
- Consulting with vulnerable groups and bringing to bear their views in mitigation strategies;
- Maintaining and applying a grievance mechanism; and
- Providing a platform for civil society organizations, including NGOs, to participate in the stakeholder engagement process.

This section outlines suggested activities and provides guidance (some generic and some linked to existing available information) to NYA for stakeholder engagement for the various phases of the life of the Cement Project – feasibility, construction, operation, and closure.

As mentioned earlier, the engagement activities required for an Equator Principles and Performance Standards compliant environmental authorization process such as an ESIA and Environmental

Management Plan of the Project (EMPP) must be undertaken by an independent environmental assessment consultant. Stakeholder engagement for a typical ESIA/ EMPP process is therefore covered separately in Annexure H.

Specific stakeholder engagement will take place in a variety of contexts, and using a range of vehicles. Against this background, engagement will include consultation, joint planning, capacity building, partnerships, community-based monitoring, grievance resolution and reporting. Table 9 presents examples of the scope of planned stakeholder engagement initiatives.

Table 9: Stakeholder engagement initiatives

Engagement vehicle	Stakeholders involved	Engagement tools
Corporate Communications and External Relations Program	All stakeholders	Regular NYA newsletter Occasional radio slots Regular information sessions with local and regional authorities
Grievance Management Mechanism	Stakeholders in the project-impacted area PAPs	Grievance management procedure and associated management system
Monitoring Programs	Stakeholders in the project impacted area; Ministry of Environment	Reporting ESIA/ EMPP-based monitoring programs as per the DRC legal requirements
Relocation Action Plan	Stakeholders subject to project-induced physical or economic displacement impacts	Compensation Negotiation Committee
Sustainable Development Plan (SDP)	Communities in the project-impacted area; government and NGOs and CBOs	Community development programs including a representative forum
Workplace training and capacity building	Local employees Contractors	Training and capacity building programs

6.1 Ongoing information dissemination

The objective of this component of the ongoing stakeholder and neighbour relations programme will be to keep local communities and other stakeholders informed of progress being made on the project, implementation of NYA's environment and social management plans, and implications of the Cement Project on their lives. It will also serve to raise awareness and understanding, and to educate stakeholders on important aspects regarding the project, and its potential impacts and benefits.

6.1.1 Types of information

The communication materials should be translated into local languages (French, Kikongo, Lingala) and present information in a simple, non-technical format on the following, for example:

- Overview of proposed project
- Overview of the company
- Who's who in NYA?
- What type of activities people can expect to see during construction and why are they required
- What type of cement processing methods and equipment will be used?
- What impacts may occur during construction?
- What mechanisms are in place for communities to bring their issues of concern to NYA's attention?
- How will the Grievance Procedure work?

Other types of information for dissemination to stakeholders to build their awareness and understanding, include for example:

- NYA's approach to cement processing;
- NYA policies on environment, health, safety, security and social responsibility;
- How cement processing works;
- Community benefits;
- How rehabilitation works;
- Good practice principles of resettlement and current NYA practice and compensation policies;
- Key project documents, such as the Relocation Action Plan (RAP), ESIA/ EMPP, Stakeholder Engagement Plan;
- Sustainable Development Plan and results, including photos of project implementation and results;
- Local laws, Equator Principles, IFC principles, and other international principles and standards with which NYA's own principles and standards concur;
- Notification of employment and training opportunities, as well as principles and process by which this will take place;
- Information on environmental and social monitoring activities and their results..

6.1.2 Methods to disseminate information

Information may be disseminated through:

- Presentations to Government and traditional authorities
- Posters displayed at NYA offices in the project area;
- Distribution of a Frequently Asked Question document by the NYA Community Liaison Officer (CLO);
- Media coverage, for example press releases on television, articles in national and regional newspapers, radio programs on local radio stations;
- A NYA newsletter to both internal and external stakeholders to report on progress, monitoring, successes, community engagement, etc.;
- Meetings with key stakeholders;
- Informal contact with community members; and
- Liaison with local stakeholder organisations.

A CLO Office may be established in the project area and could be used to post information related to the project, employment, health awareness and various other matters. Information will be in easily accessible form and updated regularly. Comment boxes will be available with a sign inviting people to place their comments and suggestions in the box.

6.2 Community Forums and Committee Meetings

Community forums and committees will be established to facilitate community meetings. Such meetings may, in addition to their specific purpose, provide stakeholders with the opportunity to raise issues, concerns and suggestions throughout the life of the project. These meetings could allow NYA to remain in touch with community attitudes regarding the company and its operations. These meetings

could also provide NYA with the means to identify and respond to new stakeholder issues, concerns or grievances.

After each meeting, NYA could support the members of committees to provide their constituents with information on recent committee discussions and decisions. This would assist committee members to obtain feedback from their constituents to report back to the next meeting of the committee. In this regard, minutes of meetings and factsheets, together with comment forms will be placed in the NYA offices for people to complete and place in the comment box; copies will also be shared with committee members to distribute.

6.3 Government Relations

NYA aims to maintain regular contact with the Ministry of Environment, and other relevant government departments. In this regard, all relevant government officials will be listed on the external stakeholder database, and will receive:

- Regular feedback letters on the authorisation process as part of the stakeholder engagement process;
- NYA Newsletter or other publications/media use; and
- Other information distributed to external stakeholders.

6.4 Collaborating with respected local institutions and civil society

Local institutions that enjoy the respect and trust of local communities represent a valuable resource in terms of conveying information to stakeholders. Examples of such institutions include faith-based organizations, educational bodies, local NGOs and others.

Recognizing this fact, NYA will collaborate with respected local institutions and enlist their assistance in conveying information to their constituents, whilst providing the necessary support for them to do so.

6.5 Communication and negotiation for land acquisition, compensation and resettlement

Communication and negotiation regarding land acquisition, compensation and resettlement will be done in the Resettlement Action Plan (RAP). The RAP includes the means to communicate, consult and negotiate in terms of land acquisition, resettlement, and asset compensation. A Resettlement Consultation Committee (RCC) will need to be established. Capacity building for committee members prior to negotiations will be done.

6.6 Participatory approach in Community Development

Meaningful and ongoing stakeholder engagement is fundamental for long-term sustainability of community development programs. During engagement, potential development programs and development partners should be identified to ensure local stakeholders take ownership and control of these initiatives. This will be done as part of the development and implementation of the Sustainable Development Plan (SDP), and NYA's ongoing engagement with stakeholders.

6.6.1 Development of the Sustainable Development Plan (SDP)

The key areas of engagement and involvement in the development of the SDP include the following:

- The Stakeholder Engagement Process and social baseline data gathering during the ESIA and ESIA update;

- NYA Community Liaison Officers (CLOs) who will serve as the primary interface between stakeholders in the Project area and NYA providing two-way communication; and
- The development of the SDP consultative and management forums and committees (e.g, community development committees).

6.6.2 Implementation of the SDP

Issues and priorities identified through the social and cultural heritage baseline studies and village focus group meetings will be used to develop community development priorities and objectives in the SDP. Consultation and engagement during SDP implementation will include:

- Monitoring of and feedback on NYA operational activities;
- Monitoring of and feedback on NYA management measures/ activities (as detailed in the EMPP), including any specific community-focused plans and processes;
- Monitoring of and feedback on SDP activities and results; and
- Annual SDP reporting requirements set by DRC legislation and NYA corporate commitments.

6.7 Grievance Management Mechanism

The IFC Guidance Note 1 (IFC, January 2012) provides guidelines for a Grievance Mechanism to receive and facilitate resolution of concerns and grievances from stakeholders. Some of the key characteristics of a Grievance Mechanism are set out below:

- Scaled to the risks and adverse impacts of the project;
- Resolves grievances promptly;
- Uses understandable and transparent engagement processes, that is culturally appropriate and readily accessible;
- No cost to, and without retribution to the complainant;
- Do not impede access to judicial or administrative remedies;
- In place from the beginning of project development and available throughout the life of the project.

6.7.1 Notification

Stakeholders will be notified of the grievance procedure as part of the ongoing stakeholder engagement process.

6.7.2 Responsibilities

It is recommended that NYA's Community Liaison Officer (CLO) be responsible for maintaining the Grievance Register. Until a CLO is appointed, this responsibility will be managed by the Sustainable Development Manager, Mr Christian Ngoy who currently holds the portfolio of Environmental, Health, Safety and Social (EHSS) Manager at NYA.

6.7.3 Recommended procedure

Grievances are currently received in writing or verbally by the Community Liaison Officer (CLO) directly from the complainant or via NYA employees, consultants and/ or contractors.

It is recommended that the CLO ensures that:

- The grievance is entered into the Grievance Register and assigned an individual number;

- The complainant is informed of the receipt of the grievance, as soon as possible, by an appropriate means (written or verbal), and language;
- Appropriate action is taken, or the grievance is referred to the appropriate member of the NYA Management Team within 24 hours;
- The complaint is tracked and addressed;
- Feedback is given to the complainant about how the complaint has been addressed;

Feedback is given to the complainant by appropriate means (written or verbal) and language within two weeks of being received. If not resolved during this time, further feedback is given once the complaint is addressed (within 30 days).

Unresolved grievances and disputes are referred to a credible and independent person or body for arbitration.

Figure 6-1 is an overview of a basic grievance management procedure that could act as a framework for future reference of complaints from stakeholders, affected communities or grievances received during the implementation of the Resettlement Action Plan. NYA is committed to ensuring that all concerns and issues raised by stakeholders will be addressed in a constructive and consultative manner.

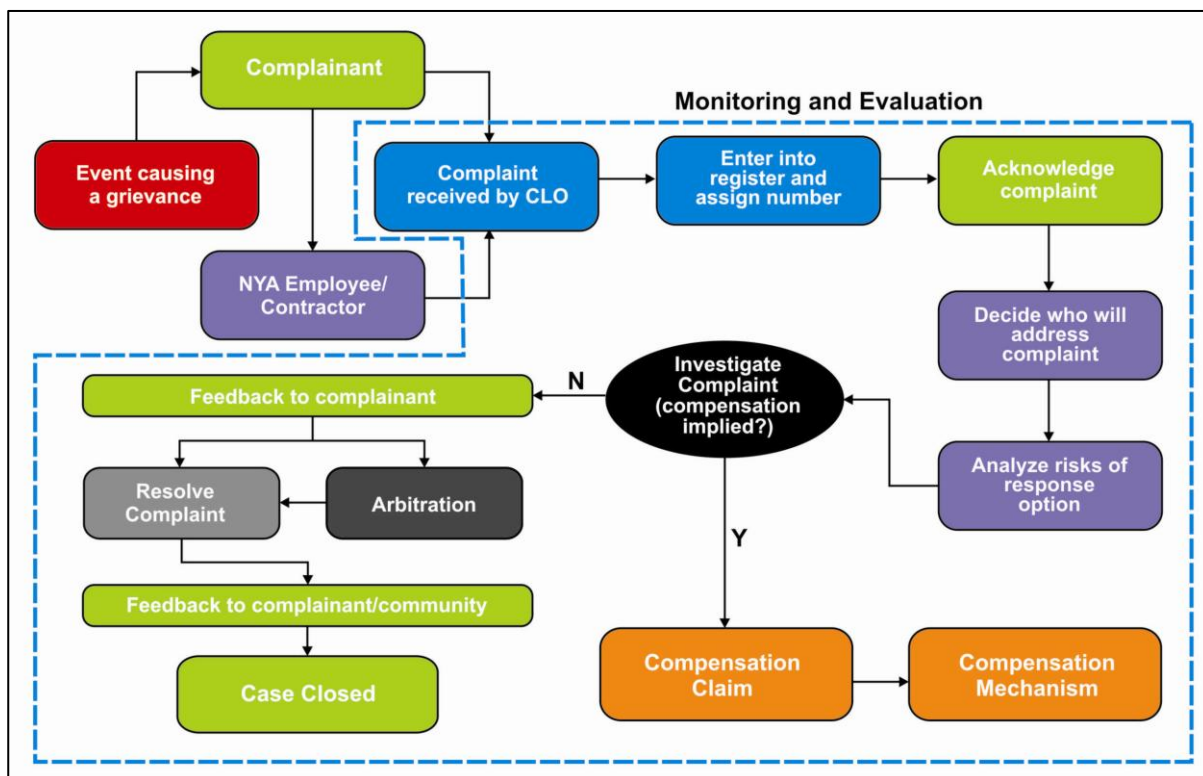


Figure 6-1: Recommended Structure for a grievance management mechanism

6.8 Conflict Management

NYA will proactively anticipate potential topics and stakeholders that may give rise to conflict and conduct a conflict risk analysis. A process will be put in place to resolve issues of conflict that cannot be resolved within the terms of the grievance procedure. NYA will also:

- Create internal capacity to deal with conflict, such as staff training;
- Identify third party facilitators, and mediators to assist in mediating conflict;
- Provide the necessary budget for conflict management and adjust as required.

6.9 Resources and Responsibilities

This section outlines the human resources that will be deployed to implement the ongoing stakeholder engagement program described in the sections above.

6.9.1 Human resources

Community Liaison Officer (CLO)

The role of CLO is to maintain on-going liaison with local communities, and ensure that NYA is aware of and can act upon community concerns. The CLO also assists in arranging meetings locally, and in presenting project details to local stakeholders. During future phases, the CLO will also serve to accompany NYA study team members into the study area, introduce them to community leaders and members, and assist teams to behave in a culturally appropriate manner.

NYA is currently in the process of recruiting a Community Liaison Officer, with appointment targeted for the beginning of September 2013. In the interim, the NYA Sustainable Development Manager, Mr Christrian Ngoy, supported by Guy Bongwele who will take responsibility for the CLO role.

As the project progresses, NYA may appoint a community liaison team to support the CLO.

Sustainable Development Manager

The Sustainable Development Manager, Mr Christrian Ngoy is responsible for leading and managing NYA's Environmental, Health, Safety and Social which includes sustainable development with regard to the following areas:

- CLOs - maintain constructive and mutually beneficial relationships with communities as well as other stakeholders in the zone of influence of the cement project;
- Community Development - to ensure that community development projects are based on local needs and circumstance and address the real, long-term needs of the community, to make a difference to their lives even beyond project closure; and
- Land Acquisition, Compensation and Relocation - to ensure that all communications, negotiations and liaison with project-affected people, their representatives, and other stakeholders meet DRC's requirements, international standards and best practices.

Sustainable Development Personnel

A Sustainable Development staff structure will be developed over time to oversee and implement the SDP. These personnel will oversee community development programmes in areas such as health, education, economic development and infrastructure. These personnel will liaise with stakeholders regarding SDP planning, implementation, monitoring and evaluation.

7 Stakeholder engagement during construction

Stakeholder engagement during the construction phase will relate to all activities leading up to and during the physical construction of facilities, roads, infrastructure, and buildings related to the project, including the management of contractors and construction contracts (IFC, 2007).

Early stakeholder engagement during the project design and environmental authorisation process informs the project planning and design teams about stakeholder issues thus enabling these teams to investigate and manage adverse impacts. Once construction starts, it is important to involve affected stakeholders in monitoring both anticipated and unanticipated impacts throughout the period.

Engagement during construction is essentially about involving stakeholders in assessing whether the impact management measures are working as intended (IFC, 2007). This entails addressing

stakeholder concerns and grievances, and monitoring and managing project impacts. Stakeholder engagement during the construction phase of the project will set the tone for continued stakeholder engagement during the life of the cement project. It should therefore aim to improve relationships with stakeholders for the remainder of the cement project's operational life.

8 Stakeholder engagement during operations

The transition from construction to operations typically means fewer grievances and potentially less project impact, which usually translates to less intense engagement with stakeholders. During this phase however there is an overall reduction in the number of employees and contractor workforce, which can potentially affect ongoing stakeholder relationships. The resultant shifts in the composition of the workforce and associated worker demobilisation need to be carefully managed.

As such, engagement with stakeholders should be considered an integral component of operations management, whether this be day-to-day operational activities, or periodic meetings with stakeholder forums. Stakeholder engagement will therefore be integrated into existing monitoring systems and management plans, including worker health and safety, environmental management, social development, employment, procurement and contractor management, logistics management, audits, and project risk management.

In order to maintain constructive long-term relationships with stakeholders during project operation, stakeholder engagement needs to go beyond impact mitigation. A more dynamic process is required in which the SEP is adapted to suit new stakeholder groups and changing stakeholder concerns for dialogue throughout the life of the project. This may include the use of expert panels, third-party audits, employee forums, community participation in impact monitoring, and the regular communication of the company's environmental and social performance. These all form part of stakeholder engagement that strengthen effective management of impacts during operations.

9 Stakeholder engagement during closure

The stakeholders potentially affected by the cement project closure will likely be different from those at earlier stages of the project. Impacts such as the loss of local employment, a decline in economic activity, the cutting-back of community services previously provided by the company, and the disbandment of local community involvement in monitoring environmental and social impacts, can potentially introduce long-term financial and reputational liabilities for the company (IFC, 2007).

Engaging with stakeholders needs to take place well before project closure. This can lower potential costs, reduce liabilities and strengthen the overall reputation of the company. For example, engagement will help guide the rehabilitation of the natural environment damaged by the project, integrate operational infrastructure into existing public services, develop worker retrenchment programs, and establish funds and management structures for the long-term monitoring of assets.

10 Action Plan for implementation of ongoing Stakeholder Engagement Activities

The preparatory steps to initiate the implementation of the planned stakeholder engagement initiatives are outlined below.

10.1 Update and management of stakeholder database

The initial stakeholder database developed as mentioned in **Section 4.3** and attached in Annexure E will be reviewed and updated by NYA at the start of the ongoing stakeholder engagement process, and on a regular basis by NYA during the subsequent phases throughout the life of the project, in order to ensure that the correct stakeholders are involved and that new stakeholders are continually identified and included.

10.2 Development of key messages

It is important that all personnel, contractors and consultants involved in any construction related activities, are consistent and courteous in their communication with any stakeholders, including local community members and representatives of the various authorities they may come into contact with. Any NYA personnel, contractor supervisors and consultants will be viewed as representatives of overall company intent, and therefore will be asked questions by local communities, other stakeholders and the authorities.

It is therefore essential that correct and consistent information is provided to stakeholders so that undue expectations are not created, for example in terms of employment, which may stimulate an influx of job seekers into the area. To avoid conflicting messages reaching stakeholders, the NYA team will develop key messages and responses based on the current stakeholder comments and perceptions, as well as anticipated stakeholder issues that may arise during the construction phase. Key NYA personnel and supervisors of the construction contractor teams who are likely to interact with stakeholders are authorised to convey these messages during site clearing and throughout construction activities, and should:

- not deviate from these messages
- not enter into speculative discussion about project details or any other aspect of the proposed project
- not make promises or commitments to stakeholders without having a mandate to do so
- refer media enquiries to the NYA media spokesperson.

Some examples of key messages are:

- *Nyumba Yumba Ya Akiba SARL (NYA), is a joint venture between Lucky Cement Pakistan and Groupe Rawji DRC.*
- *DRC Government has granted Concession RAFI about 30 km west of Kimpese City, Bas Congo Province of DRC, to NYA for development of the cement project.*
- *The cement project comprises a 3,000 tonnes per day clinker and 3,580 tonnes per day cement manufacturing facility, limestone quarry and associated facilities*
- *The DPEM approved the cement project development in 2011 and a quarry operational permit was granted, based on an Environmental Impact Assessment (EIA) conducted by an accredited local consultant (OEMS) in December 2010 in accordance with the DRC legislation.*
- *Thereafter, an Environmental and Social Impact Assessment (ESIA) for lender approval was undertaken in 2012 by ECTECH, and updated with additional information by SRK Consulting in 2013 to comply with IFC Performance Standards and other requirements, including those of the African Development Bank (AfDB).*
- *About 500 workers will be needed during the construction phase of the project, which will last for approximately 30 months, start in about (NYA to confirm date) and is expected to be completed in (NYA to confirm date).*

- *Workers will also be needed later during operation of the cement processing project, which may start in (NYA to confirm date). The cement and processing operation will be modern, and will require skilled workers. NYA will need to conduct training programs for many of the highly skilled positions.*
- *NYA is committed to hiring workers from local communities, but will also need to hire workers from places like Kimpese, Kinshasa, Matadi and elsewhere in the DRC, if the required skills are not available locally.*
- *Once the start date for construction of the project approaches, offices will be established locally where people can apply for jobs. It will not be productive for people to begin applying for jobs until NYA notifies local community leaders that the jobs are becoming available. Community leaders will also be consulted about the most appropriate approach to deal with job applications.*
- *The Cement Project will also need services and supplies, both during construction and operation. You will soon hear more about possible programmes to which NYA will contribute to improve opportunities for local people to supply selected goods and services to the project, for the benefit of all parties.*
- *At this stage, only the Yuku Village will require relocation. A Relocation Action Plan (RAP) is in place to ensure that relocation and compensation is done according to international standards.*

NYA is excited about the development of the Cement Project and is looking forward to a mutually beneficial relationship with surrounding communities.

10.3 Development of communication materials

Based on the above key messages, NYA will compile an initial suite of communication materials in different formats (as below) for engagement with different target audiences. The communication materials will be translated into French, Kikongo and Lingala and present information in simple non-technical terms.

- Powerpoint presentation for Government, and other key stakeholder sectors like NGOs, mining and industry, business in Kinshasa
- Flyers and newsletters for distribution to NYA staff, and external stakeholders on the database
- Question and Answer Document providing feedback to key issues and questions from stakeholders, for distribution to community members by the NYA CLO;
- Press releases (eg. announcing start of construction) for distribution to television stations, national and regional newspapers, local radio stations; and
- Posters containing simplified, information and graphic representations to place for example, at the NYA site office, and Government Sector office at Mawete.

Examples of the type of information that will be included in these initial communication materials are:

- Overview of proposed project
- Overview of the company
- Who's who in NYA?
- What type of activities people can expect to see during construction and why are they required
- What type of cement processing methods and equipment will be used?
- What impacts may occur during construction?

- What mechanisms are in place for communities to bring their issues of concern to NYA's attention?
- How will the Grievance Procedure work?

10.4 Capacity building workshop

NYA will hold an upfront capacity building workshop, preferably on site, with key project personnel, particularly the community liaison team, community development team, contractors and specialists (as relevant) who will interact with stakeholders. The purpose of the workshop is for participants to:

- Gain insight into the socio-economic context, historical and current stakeholder sensitivities, perceptions, expectations, and development needs etc.
- Understand the objectives of stakeholder engagement during the construction and further phases, and the messages that need to be communicated,
- Finalise the Action Plan and assign responsibilities and resources.

Following the workshop, an updated Action Plan, and stakeholder database will be compiled by NYA.

Table 10; Table 11 and Table 12 below set out the proposed Action Plan for the stakeholder engagement meetings and activities envisaged during the pre-construction, construction and operational phases respectively, of the project.

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Table 10: Proposed action plan for stakeholder engagement meetings during pre-construction phase

PRE - CONSTRUCTION PHASE					
Timeframe	Proposed Stakeholder engagement activities	Stakeholder group	Method of engagement	Responsibility	Resources and information required
September 2013	- Hold dry run/ briefing meetings with engagement team in preparation for meetings with key stakeholder groups. - Purpose is to finalise presentations to stakeholders and to strategise for anticipated questions during discussion sessions at the meetings	NYA Stakeholder Engagement team	Team meeting	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	Copies of presentations, information materials, Question and Answer document
October - November 2013	Convene pre-consultation meetings with identified key stakeholder groups to share information about: - The project - Start of the construction phase - What to expect in terms of construction activities in the area - Who at NYA to contact should there any issues	National Government - DPEM - Ministry of Environment - Other relevant Ministries	Information sharing/ focus group meetings	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources <i>NYA senior management representative to be present at all and Government, Traditional Authority meetings, and ideally at some of the community meetings.</i>	PowerPoint presentation
		Provincial Government - Governor and Deputy Governor of the Bas Congo - Provincial Ministry of Environment			Printed copies of: - Question and Answer Document translated into local languages - Information Document on Grievance Mechanism (translated)
		Local Government - Administrator of the Songololo Territory - LUIMA Sector Head - Chef du Centre (Centre de Minkelo) - Chef de Poste - Sector Heads at Mawete Office			
		Traditional authorities Traditional chiefs, their advisors and key community leaders of the villages in the project area (Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia Villages)			
	- Convene initial meeting to share information about the relocation process - Initiate discussion regarding the establishment of Resettlement Consultation Committee (RCC) and community forums	Traditional authorities and community leaders of Yuka Village	Focus group meeting	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	Printed copies of: - Question and Answer Document translated into local languages - Information Document on Grievance Mechanism (translated) - Information Document on Relocation Process (translated)
	Convene initial meeting to share information about the Resettlement Action Plan and relocation process	Community members of Yuka Village	Community meeting	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	Printed copies of: - Question and Answer Document translated into local languages - Information Document on Grievance Mechanism (translated) - Information Document on Relocation Process (translated)

Table 11: Proposed action plan for stakeholder engagement meetings during construction phase

CONSTRUCTION PHASE						
Timeframe	Proposed Stakeholder engagement activities	Stakeholder group	Method of engagement	Responsibility	Resources and information required	Frequency
At start of construction phase	- Hold dry run/ briefing meetings with engagement team in preparation for meetings with key stakeholder groups. - Purpose is to finalise presentations to stakeholders and to strategise for anticipated questions during discussion sessions at the meetings	NYA Stakeholder Engagement team	Team meetings	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	Copies of presentations, information materials, Question and Answer document	Before every round of meetings
Start in month 1 of construction and repeat cycle throughout the 30-month construction period	Convene meetings with identified key stakeholder groups to share information on progress with project, key milestone in construction phase, and to provide feedback on issues and comments raised during pre-consultation meetings	National Government - DPEM - Ministry of Environment - Other relevant Ministries	Information sharing/ focus group meetings	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources <i>NYA senior management representative to be present at all and Government, Traditional Authority meetings, and ideally at some of the community meetings.</i>	- PowerPoint presentation - Printed copies of newsletters - Monitoring data/ specialist reports - Minutes of previous meetings	Quarterly over the 30-month construction period construction phase, or at a frequency determined in agreement with stakeholders (To provide feedback/ responses to issues and commitments - in order to continue strengthening NYA's relationship with stakeholders.
		Provincial Government - Governor and Deputy Governor of the Bas Congo - Provincial Ministry of Environment			Printed copies of: - Updated Question & Answer Document translated into local languages - Posters - Information Document on Grievance Mechanism (translated) - Minutes of previous meetings	
		Local Government - Administrator of the Songololo Territory - LUIMA Sector Head - Chef du Centre (Centre de Minkelo) - Chef de Poste - Sector Heads at Mawete Office				
		Traditional authorities Traditional chiefs, their advisors and key community leaders of the villages in the project area (Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia Villages)				
	- Convene meeting to share updated information about the Resettlement Action Plan and relocation process - Establish the Resettlement Consultation Committee (RCC) and community forums - Provide feedback of previous questions and issues	Traditional authorities and community leaders of Yuka Village	Focus group meeting	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	Printed copies of: - Updated Question & Answer Document translated into local languages - Posters - Information Document on Grievance Mechanism (translated) - Information Document on Relocation Process (translated)	
	Convene meeting to share updated information about the Resettlement Action Plan and relocation process	Community members of Yuka Village	Community meeting			
	Convene community meetings to share updated information about the project, Grievance Mechanism and provide feedback on previous issues	Communities in the following villages: Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia	Separate Community Meetings in each Village			
	Convene meetings with identified key stakeholder groups to share information and progress on the project and to build trust and credibility	Non-Government and Community Based Organisations in Kinshasa For example: - Centré Régional d'Appui et de Formation pour le Développement (CRAFOD) - CIVAK	Information sharing/ focus group meeting			
Ongoing throughout	Ongoing distribution of information to all stakeholders to keep them informed of progress with the project.	To all stakeholders on the stakeholders database	Email newsletters to stakeholders with email		Newsletters	Quarterly

CONSTRUCTION PHASE						
Timeframe	Proposed Stakeholder engagement activities	Stakeholder group	Method of engagement	Responsibility	Resources and information required	Frequency
the 30-month construction period		- NYA staff - Meeting attendees (as above)	addresses Distribute newsletters by hand o NYA staff and at meetings with stakeholders			
Ongoing throughout the 30-month construction period	Ongoing meetings the Resettlement Consultation Committee (RCC) and community forums	- Members of the Resettlement Consultation Committee (RCC) - Community forum members	- Committee Meetings - Forum Meetings	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	- Information Documents - Minutes of previous meetings	At frequency specified in ratified Terms of Reference for respective committee or forum

Table 12: Proposed action plan for envisaged stakeholder engagement activities during project operational phase

OPERATIONAL PHASE						
Timeframe	Proposed Stakeholder engagement activities	Stakeholder group	Method of engagement	Responsibility	Resources and information required	Frequency
Before commissioning of project	Hold traditional ceremony for Chief's blessing of the project	Makulukulu'Mvuezolo Ndofunsu Chef de Groupement Ngombe to lead ceremony		NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	NYA to liaise with traditional authority to arrange the ceremony	Once off
Ongoing throughout life of project	Ongoing distribution of information to all stakeholders to keep them informed of progress with the project.	- To all stakeholders on the stakeholders database - NYA staff - Meeting attendees (as above)	- Email newsletters to stakeholders with email addresses - Distribute newsletters by hand o NYA staff and at meetings with stakeholders		Newsletters	Bi-annually
Ongoing throughout life of project	Ongoing meetings the Resettlement Consultation Committee (RCC) and community forums	- Members of the Resettlement Consultation Committee (RCC) - Community forum members	- Committee Meetings - Forum Meetings	NYA Sustainable Development Manager, Community Liaison Officer and supporting resources	- Information Documents - Minutes of previous meetings	At frequency specified in ratified Terms of Reference for respective committee or forum

11 Monitoring and Evaluation

11.1 Record-keeping

Record-keeping will take the following form:

- Developing an electronic and hard copy filing system for all stakeholder engagement activities;
- Recording issues raised at meetings in the Issues and Response Report and distributing the report to attendees for verification;
- Having attendance registers completed at all meetings, and as far as possible taking digital photographs and/or video recordings at all meetings; and
- Keeping a comprehensive record for reporting purposes of:
 - All meetings (dates, venues, attendees, objectives, etc.);
 - All events such as launches, open houses, etc. (dates, venues, attendees, objectives, outcomes);
- All comments, compliments, grievances and responses to these.

11.2 Monitoring and reporting

Monitoring and reporting on the implantation of the SEP and SDP will be the responsibility of the NYA Sustainable Development Manager, Mr Christrian Ngoy, supported by Guy Bongwele.

11.2.1 SEP monitoring and evaluation procedures

The outcome of the Stakeholder Engagement Plan (SEP) will be evaluated against the following sets of criteria:

- Indicators in the IFC Guidance Notes on public consultation and disclosure (see Annexure I; and
- Grievance trends, issues and effective resolution.

Evaluation will be qualitative as well as quantitative, and will take place on a regular basis. The results of on-going evaluation will be made available to stakeholders by various means, and will be used as a basis for revising the SEP where necessary.

11.2.2 Reporting on the SEP

In conformance with IFC Performance Standards, reporting on the Stakeholder Engagement Plan will consist of two main components:

- Internal Reporting, which will involve periodic assessments of the effectiveness of the program based on systematic data collection and analysis presented to NYA senior management; and
- External Reporting, which will be in the form of regular meetings with key stakeholders.

11.2.3 SDP monitoring and evaluation procedures

Monitoring and Evaluation (M&E) of the Sustainable Development Plan (SDP) is necessary to measure and improve performance and ensure compliance with legal obligations and company commitments. It is also an important component of transparency and stakeholder participation. The following M&E procedures are proposed:

- Monitoring of inputs (funds, human resources), and the effectiveness of their deployment. Input monitoring should be undertaken on an annual basis;

- Monitoring of participation (extent and effectiveness). Participation monitoring should take place bi-annually. Sources of information will be community liaison officers, representatives of specific stakeholder groupings, development partners and program beneficiaries;
- Monitoring of outputs (products of SDP projects or programs), and the extent to which they match the outputs originally planned. Output monitoring should be undertaken bi-annually; and
- Information will come from NYA staff, development partners, implementing agents and program beneficiaries.

11.2.4 Reporting on the SDP

M&E reporting will serve a management information function, and a transparency/disclosure function. The former is internal and the latter, external. External reporting must be accessible, considering matters of language, literacy and the patterns of use of public communication vehicles. Methods of reporting might include the following:

- SDP reports;
- Newspaper and radio reports;
- Poster disclosure;
- Briefing sessions and workshops;
- Reporting in SEP forums; and
- Reporting through the Community Liaison Officer (CLO).

12 References

IFC Good Practice Manual, Doing Better Business through Effective Public Consultation and Disclosure (IFC, 1998)

www.equator-principles.com

IFC Environmental and Social Review Procedures (Version 1.0, April 2006)

www.equator-principles.com

Policy on Social and Environmental Sustainability (IFC, 2006)

www.equator-principles.com

Performance Standards on Social and Environmental Sustainability (IFC, 2006)

www.equator-principles.com

IFC updated and revised Good Practice Manual for Stakeholder Engagement, A Good Practice Handbook for Companies Doing Business in Emerging Markets (IFC, 2007).

www.equator-principles.com

UN ECE Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters of October 2001 or Aarhus Convention, United Nations, Treaty Series , vol. 2161, p. 447.

Handbook on Stakeholder Consultation and Participation in African Development Bank operations (2001)

Framework for Enhanced Engagement with Civil Society Organizations (2012).

For more details on these guidelines and procedures, please refer to the website – see link below:

<http://www.afdb.org/en/documents/project-related-procurement/policies-and-procedures/>

Annexures

Annexure A: IFC standards and principles

IFC Performance Standards and Guidance Notes

The IFC's Sustainability Framework, originally adopted in 2006, states the IFC's commitment to sustainable development. The updated Sustainability Framework became effective on the 1st of January 2012 and is therefore applicable to this study. The sustainability Framework comprises the IFC's Policy and Performance Standards on Environmental and social Sustainability, and the IFC's Access to Information Policy.

The IFC Policy on Environmental and Social Sustainability gives effect to the organisation's commitment to environmental and social sustainability. Consistent with this commitment, the IFC reviews projects proposed for direct financing against a set of Performance Standards which aim to minimise a projects impact on the environment and affected communities as well as stakeholder engagement and disclosure obligations of the client in relation to project activities. Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) makes specific reference to public consultation by establishing the importance of effective community engagement through disclosure of project information and consultation with local communities on topics that will directly affect them.

Two objectives of Performance Standard 1 relating to public consultation are as follows:

- "To ensure that grievances from Affected Communities and external communications from other stakeholders are responded to and managed appropriately"; and
- "To promote and provide means for adequate engagement with Affected Communities throughout the project life cycle on issues that could potentially affect them and to ensure that relevant environmental and social information is disclosed and disseminated".

The IFC Performance Standard 1 acknowledges that stakeholder engagement is an ongoing process that may involve:

- *Stakeholder analysis and engagement planning* – Identify interested stakeholders and communities that will be affected by the project development, and create a Stakeholder Engagement Plan (this document) which will describe measures that will allow for effective participation;
- *Disclosure and dissemination of information* – Disclosure of relevant project information to help Affected Communities and other stakeholders understand the risks, impacts and opportunities of the project;
- *Consultation and participation* – The consultation process will be undertaken in a manner that provides the Affected Communities with an opportunity to express their views on project risks, impacts and management measures and raise any questions. This also provides the project proponent with an opportunity to respond to them;
- *Grievance mechanism* – A grievance mechanism is to be produced in order to receive and facilitate the resolution of the Affected Communities' concerns and grievances about the proposed project; and
- *Ongoing reporting to Affected Communities* – Periodic reports will be provided to the Affected Communities, describing progress on any impacts identified as a concern to those communities. Furthermore, should the management result in material changes to any issues of concern to the Affected Communities; an update will be communicated to them.

IFC good practice manual for public consultation and disclosure

In 1998, the IFC published its guideline entitled *Good Practice Manual Doing Better Business through Effective Public Consultation and Disclosure*, which outlines issues that should be considered during public consultation and disclosure. These include:

- Written and oral communication in local languages and readily understandable formats;
- Accessibility by relevant stakeholders to both written information and to the consultation process;
- The use of oral or visual methods to explain information to non-literate people;
- Respect for local traditions regarding discussion, reflection and decision-making;
- Care in assuring groups being consulted are representative, with adequate representation of women, vulnerable groups, ethnic or religious minorities, and separate meetings for various groups, where necessary; and
- Clear mechanisms to respond to people's concerns, suggestions and grievances.

In 2007, the IFC prepared an updated and revised guide entitled *Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets*. This guide details the “essentials” for managing stakeholder engagement. Some of the key concepts and principles of good stakeholder engagement described in the guide are listed below:

- *Stakeholder identification and analysis* – Identify and prioritise stakeholders and assess their interests and concerns;
- *Information disclosure* – Communicate information to stakeholders early in the decision-making process, in ways that are meaningful and accessible, and continue this communication throughout the life of the project;
- *Stakeholder consultation* – Plan the consultation process, ensure it is inclusive, document the process and communicate follow-up;
- *Negotiations and partnerships* – Enter into negotiations and partnerships that satisfy the interests of all parties if the issues are controversial and complex. Strategic partnerships add value to impact mitigation or project benefits;
- *Grievance management* – Establish accessible ways for stakeholders to raise concerns and grievances about the project throughout its life;
- *Stakeholder involvement in project monitoring* – Involve stakeholders who are directly affected in monitoring project impacts, mitigation measures and benefits. Wherever possible, involve external monitors, in order to enhance transparency and credibility;
- *Reporting to stakeholders* – Report back to stakeholders on environmental, social and economic performance; and
- *Management functions* – Build and maintain sufficient capacity within the company to manage the stakeholder engagement process, track commitments and report on progress.

Appendix 3 of the Manual outlines the required contents of a PSDP, as outlined in Section 2 of this document.

Equator Principles

The Equator Principles represent an approach by financial institutions to deterproject, assess and manage environmental and social risk in project financing. Institutions that have adopted the

Principles undertake not to make loans directly to projects where the borrower will not or is unable to comply with environmental and social policies and processes outlined in the Principles. Prerequisites include compliance with host country legislation and, for projects located in middle and low-income countries (such as DRC), with relevant IFC Performance Standards. Public consultation and disclosure requirements are also stipulated in the Principles:

- **Principle 5: Consultation and Disclosure**, states that project affected communities must be consulted with in a structured and culturally appropriate manner to ensure their free, prior and informed consultation as well as facilitate their informed participation. Assessment documentation and non-technical summaries should be made available to the public in the relevant local language, in a culturally appropriate manner and for a reasonable minimum period. The project proponent will take account of and document the process and results of the consultation, including any actions agreed resulting from the consultation; and

Principle 6: Grievance Mechanism, states that in order to ensure that consultation, disclosure and community engagement continues throughout construction and operation of the project, a grievance mechanism must be established by the project proponent. This will allow the project proponent to receive and facilitate the resolution of concerns and grievances relating to the project raised by stakeholders and affected communities.

IFC Performance Standards and Guidance Notes

The IFC's Sustainability Framework, originally adopted in 2006, states the IFC's commitment to sustainable development. The updated Sustainability Framework became effective on the 1st of January 2012 and is therefore applicable to this study. The Sustainability Framework comprises the IFC's Policy and Performance Standards on Environmental and social Sustainability, and the IFC's Access to Information Policy.

The IFC Policy on Environmental and Social Sustainability gives effect to the organisation's commitment to environmental and social sustainability. Consistent with this commitment, the IFC reviews projects proposed for direct financing against a set of Performance Standards which aim to minimise a projects impact on the environment and affected communities as well as stakeholder engagement and disclosure obligations of the client in relation to project activities. Performance Standard 1 (Assessment and Management of Environmental and Social Risks and Impacts) makes specific reference to public consultation by establishing the importance of effective community engagement through disclosure of project information and consultation with local communities on topics that will directly affect them.

Two objectives of **Performance Standard 1** relating to public consultation are as follows:

"To ensure that grievances from Affected Communities and external communications from other stakeholders are responded to and managed appropriately"; and

"To promote and provide means for adequate engagement with Affected Communities throughout the project life cycle on issues that could potentially affect them and to ensure that relevant environmental and social information is disclosed and disseminated".

The IFC Performance Standard one acknowledges that stakeholder engagement is an ongoing process that may involve:

Stakeholder analysis and engagement planning – Identify interested stakeholders and communities that will be affected by the project development, and create a Stakeholder Engagement Plan (this document) which will describe measures that will allow for effective participation;

Disclosure and dissemination of information– Disclosure of relevant project information to help Affected Communities and other stakeholders understand the risks, impacts and opportunities of the project;

Consultation and participation– The consultation process will be undertaken in a manner that provides the Affected Communities with an opportunity to express their views on project risks, impacts and management measures and raise any questions. This also provides the project proponent with an opportunity to respond to them;

Grievance mechanism– A grievance mechanism is to be produced in order to receive and facilitate the resolution of the Affected Communities' concerns and grievances about the proposed project; and

Ongoing reporting to Affected Communities– Periodic reports will be provided to the Affected Communities, describing progress on any impacts identified as a concern to those communities. Furthermore, should the management result in material changes to any issues of concern to the Affected Communities; an update will be communicated to them.

IFC good practice manual for public consultation and disclosure

In 1998, the IFC published its guideline entitled *Good Practice Manual Doing Better Business through Effective Public Consultation and Disclosure*, which outlines issues that should be considered during public consultation and disclosure. These include:

- Written and oral communication in local languages and readily understandable formats;
- Accessibility by relevant stakeholders to both written information and to the consultation process;
- The use of oral or visual methods to explain information to non-literate people;
- Respect for local traditions regarding discussion, reflection and decision-making;
- Care in assuring groups being consulted are representative, with adequate representation of women, vulnerable groups, ethnic or religious minorities, and separate meetings for various groups, where necessary; and
- Clear mechanisms to respond to people's concerns, suggestions and grievances.

In 2007, the IFC prepared an updated and revised guide entitled *Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets*. This guide details the "essentials" for managing stakeholder engagement. Some of the key concepts and principles of good stakeholder engagement described in the guide are listed below:

Stakeholder identification and analysis – Identify and prioritise stakeholders and assess their interests and concerns;

Information disclosure – Communicate information to stakeholders early in the decision-making process, in ways that are meaningful and accessible, and continue this communication throughout the life of the project;

Stakeholder consultation – Plan the consultation process, ensure it is inclusive, document the process and communicate follow-up;

Negotiations and partnerships – Enter into negotiations and partnerships that satisfy the interests of all parties if the issues are controversial and complex. Strategic partnerships add value to impact mitigation or project benefits;

Grievance management – Establish accessible ways for stakeholders to raise concerns and grievances about the project throughout its life;

Stakeholder involvement in project monitoring – Involve stakeholders who are directly affected in monitoring project impacts, mitigation measures and benefits. Wherever possible, involve external monitors, in order to enhance transparency and credibility;

Reporting to stakeholders – Report back to stakeholders on environmental, social and economic performance; and

Management functions – Build and maintain sufficient capacity within the company to manage the stakeholder engagement process, track commitments and report on progress.

Appendix 3 of the Manual outlines the required contents of a PSDP, as outlined in Section 2 of this document.

Equator Principles

The Equator Principles represent an approach by financial institutions to deterproject project feasibility and assess and manage environmental and social risk in project financing. Institutions that have adopted the Principles undertake not to make loans directly to projects where the borrower will not or is unable to comply with environmental and social policies and processes outlined in the Principles. Prerequisites include compliance with host country legislation and, for projects located in middle and low-income countries (such as DRC), with relevant IFC Performance Standards. Public consultation and disclosure requirements are also stipulated in the Principles:

Principle 5: Consultation and Disclosure, states that project affected communities must be consulted with in a structured and culturally appropriate manner to ensure their free, prior and informed consultation as well as facilitate their informed participation. Assessment documentation and non-technical summaries should be made available to the public in the relevant local language, in a culturally appropriate manner and for a reasonable minimum period. The project proponent will take account of and document the process and results of the consultation, including any actions agreed resulting from the consultation; and

Principle 6: Grievance Mechanism, states that in order to ensure that consultation, disclosure and community engagement continues throughout construction and operation of the project, a grievance mechanism must be established by the project proponent. This will allow the project proponent to receive and facilitate the resolution of concerns and grievances relating to the project raised by stakeholders and affected communities.

Other information resources

- www.icmm.com
- www.worldbank.org
- www.ifc.org
- www.fcx.com

Annexure B: DRC Regulatory Framework

DRC regulatory framework¹

Constitution

The Constitution, also known as the Constitution of the Third Republic, was adopted by the government on 18 February 2006. Article 53 states that:

- Every person has a right to a healthy environment which is favorable to his/her full development;
- The environment must be protected; and
- The State must look after the protection of the environment and the health of the people.

Article 123 of the Constitution makes provision for laws to be made concerning, *inter alia*, “the protection of the environment and tourism”. Article 203 allows for co-operative governance by central government and the Provincial administrations “to protect the environment, natural sites and landscapes, and the conservation of such sites”.

National Environmental Action Plan

The DRC formulated its National Environmental Action Plan (NEAP) in 1997, in response to Agenda 21 of the United Nations Conference on the Environment and Development held in Rio de Janeiro in 1992. The main finding was that the system of management of the country’s natural resources was deficient and that a legal framework was urgently required.

The major issues identified in the NEAP were:

- Daily destruction of the environment as a result of extreme poverty, population growth and general ignorance about environmental matters;
- Water pollution, together with the absence of national water quality standards;
- Soil degradation in areas with high population densities;
- Air pollution resulting from the agricultural, industrial and energy industries; and
- Urban degradation and unhealthy conditions resulting from a combination of poor planning, the inability of municipal authorities to control the influx of migration to the cities, as well as population growth.

Mining Code

The Mining Code, Law No 007/2002 of 11 July 2002, applies to all commercial activities associated with prospecting, exploitation, processing, transportation and sale of mineral substances, as well as artisanal mining activities². It specifies the need for an Environmental Impact Study (EIS), Mitigation and Rehabilitation Plan (MRP) and an Environmental Management Plan of the Project (EMPP). These are defined in the Mining Code as follows:

- **EIS:** A *priori* scientific analysis of the foreseeable potential effects a given activity will have on the environment, as well as the analysis of the acceptable levels thereof and the mitigating measures to be taken to ensure the conservation of the environment, subject to the best technology available, at a viable economic cost;
- **MRP:** Plan required for the operations relating to a mineral or quarry exploration right or a

¹ This section is an amalgamation of different sources of information collected in the DRC and also largely based on information taken from Walmsley (2008), and Walmsley and Tshipala (2007).

² United Nations Development Programme (UNDP), 1997

Temporary Quarry Exploitation License pursuant to which a holder undertakes to carry out certain mitigation measures of the impact of his activities on the environment, as well as rehabilitation measures where said activities take place, including the holder's undertaking to provide a financial guarantee to cover or guarantee the mitigation and rehabilitation costs of the environment; and

- **EMPP:** Environmental specifications of the project consisting of a program for the implementation and monitoring of measures contained in the EIS in order to eliminate, reduce and possibly offset the damaging consequences.

According to the Mining Code (Title III: Mineral and Mining Rights; Chapter II: Mining Exploitation; Article 69: The preparation of the application for the Exploitation License) the following documents need to accompany an application for an Exploitation License:

- A copy of the valid Exploitation Certificate;
- A report on the outcomes of the exploration work, with regard to the nature, quality, volume and geographical situation of the mineral resources identified;
- The feasibility study for the exploitation of the deposit;
- The technical framework plan for the development, construction and exploitation work for the mine;
- A copy of the EIS and EMMP for the proposed project;
- A report on the consultations with the authorities of the local administrative entities and with the representatives of the surrounding communities;
- A plan as to how the project will contribute to the development of the surrounding communities;
- A financing plan identifying the planned sources of financing; and
- Proof of payment of the filing costs.

The Mining Code also has sections dedicated to the protection of the environment and cultural heritage during prospecting, exploration and exploitation as well measures for the protection of health and safety and public consultation. (Title VIII: Obligations of the Holders of Mining or Quarry Rights; Chapter II: Obligations relating to the activities relating to Mining or Quarry Titles; Articles 202 to 218). Moreover, the Mining Code also specifies restrictions on the occupation of land for mining activities/infrastructure (for example no person may occupy land containing archaeological remains or a national monument), liability for damages caused by the mining activities (even if they are authorized) and that fair compensation be paid to the rightful holders (corresponding either to the rent or the value of the land at the time of its occupation, plus 50%) for economic and physical displacement (Title XI: Relations Between the Holders of Mining Rights and/or Quarry Rights Themselves and with the Occupants of the Land; Chapter II: Holders' Relations with the Occupants of the Land; Articles 279 to 282).

Mining Regulations

The Mining Code is supported by the Mining Regulations, Decree No 038/2003 of 26 March 2003, Schedules/Annexes and Addenda to the Mining Regulations, which implement the provisions of the Code including the environmental and social obligations relating to mining projects. Articles 450 to 457 of the Mining Regulations set out the scope and objectives as well as the requirements for EIS and EMPP reports. Articles 451, 225 and 478 to 480 lay down the purpose of and guidelines for public consultation.

The Regulations contain a number of Schedules/Annexes; those which relate specifically to the environment are:

- Schedule II: Financial surety for rehabilitation.
- Schedule III: Environmental Code of Conduct for Prospectors.
- Schedule V: Conduct Code for Artisanal Miners.
- Schedule VII: MRP.
- Schedule VIII: Guidelines for preparing an MRP.
- Schedule IX: Guidelines for preparing an EIS and EMPP.
- Schedule X : Closure measures.
- Schedule XI: Classification of mine waste/tailings and their properties.
- Schedule XII: Sensitive environments.
- Schedule XIII: Method for the measurement of noise.
- Schedule XIV: Structural stability of mine waste storage sites.

Environmental permits and licenses

Exploration and Exploitation permits are necessary for mining activities which are required to be compliant with environmental protection regulations. PDC currently holds an Exploration License for the proposed project and now wishes to obtain an Exploitation License. In order for an Exploitation License to be granted, the proposed project will require the compilation, submission and approval of an EIS that includes an EMPP (Article 204 of the Mining Code). The steps involved in obtaining approval for the environmental assessment, include:

- Developing the scope and terms of reference for the assessment in consultation with the DPEM (i.e. this report). While this is not a mandatory component of the study process, the opportunity exists for the applicant for an exploitation right to request clarification on the scope of the study and to enter into a memorandum of understanding in respect of the scope;
- Consulting with the public during the preparation of the EIS and EMPP. The applicant is required to prepare a plan to consult with communities at the beginning of the EIS and submit this to both the DPEM and local communities. The applicant must further disclose the mining work program, the negative and positive impacts arising from the project, and the mitigation and rehabilitation measures. The consultation process needs to also capture reactions, questions and concerns;
- Submitting the EIS and EMPP to the *Mines Registry (Cadastre Minier)*, which is then subject to review by an inter-ministerial committee (Permanent Evaluation/Assessment Committee) chaired by the Director of the DPEM; and
- Obtaining a decision from the DPEM.

It is understood from specialists on DRC legislation that the EIS and EMPP will cover all aspects of permitting such as waste disposal, river diversion, water use, emissions, and effluent discharge.

Framework Law on the Environment

In recognition of Article 123 (point 15) of the Constitution, the DRC government has promulgated the Framework Law on the Environment (Act No.11/009 of 9 July 2011). The Act aims to:

- Define the broad guidelines in terms of the protection of the environment;
- Direct the management of the immense potential held by the Republic in the form of natural resources, with a view to SD benefitting people;
- Reduce risks and combat all forms of pollution and nuisances; and
- Serve as a basis for specific legislation governing the conduct of sectors which, while distinct from the environment, have an undeniable direct or indirect impact.

The Framework Law on the Environment lays down the general principles which serve as a basis for the specific laws for governing the different sectors of the environment. The Act specifies the requirement for an Environmental and Social Impact Assessment (ESIA), an environmental audit, an environmental assessment of policies, plans and programs, the creation of an institutional framework, an Intervention Fund for the Environment, as well as the strengthening of penal provisions.

The Framework Law on the Environment comprises nine chapters as follows:

- Chapter 1: General provisions;
- Chapter 2: Institutional framework;
- Chapter 3: Procedural mechanisms;
- Chapter 4: Funding mechanisms;
- Chapter 5: Management and Conservation of natural resources;
- Chapter 6: Reducing risk and combatting pollution and nuisances;
- Chapter 7: Civil liability;
- Chapter 8: Offences and penalties; and
- Chapter 9: Temporary, final and repealing provisions.

Chapter 3 (Section 2) of the Framework Law on the Environment deals with Environmental and Social Impact Assessments (ESIAs). It requires in section 21 that projects which may have an impact on the environment including industrial, commercial, agricultural, forestry and mining developments should submit an EIS, accompanied by an EMPP. It is intended that those activities requiring an environmental impact study will be listed in a Decree, which will also stipulate the required contents of the environmental impact assessment report, the terms of its approval and the public consultation procedure.

Article 23 requires audits to be carried out on any project or activity presenting a potential risk to the environment and communities, while Article 24 states the need for public involvement. Moreover, Chapter 5 (Articles 28 to 35) stipulates the conservation and sustainable management of ecosystems, natural resources and sites and monuments located on national territory as well as the need to develop and implement the sustainable management plans, programs and measures.

Other environmental legislation

In addition to the above legislation, there are numerous laws relating to environmental management in the DRC as listed in Table 13 but not limited thereto.

Table 13: Key DRC environmental legislation

Aspect	Agreement/convention
General environment.	- National Environmental Action Plan (NEAP), 1997. - Arrêté Ministériel No 043 of 8 December 2006 and No 8 of 3 April 2007. - Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Ordinance No 07/018 of 16 May 2007. - Code Foncier (1973, amended in 1980).
Mining.	- Mining Code (Law No 007/2002 of 11 July 2002). - Mining Regulations (Decree No 038/2003 of 26 March 2003).
Soils and land use.	- Article 28 (Topography, Geology and Land Use) from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Article 75 (Dead Ground Management) of Chapter V of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Code Foncier (1973, amended in 1980).
Water.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Decree of May 6, 1952 on water. - Ordinance 52-443 of 21 December 1952. - Regulation on lake and Watercourse contamination and pollution of 1 July, 1914. - Article 30 to 33 from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Articles 53 to 74 of Schedule IX of the Mining Regulations, Decree no. 038/003 of 26 March 2003. - Code Foncier (1973, amended in 1980).
Climate and air quality.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Article 29 (Climate and Air Quality) of schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Articles 49 to 52 of Schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003.
Biodiversity and protected areas.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Forest Code (Law 011 2002 of 28 May 2002). - Nature Conservation Law (Regulation no 69-041) of 22 August 1969. - Regulation 79-244 of 16 October 1997 Amended 1995 and 1996). - Law no 75-023 of 22 July 1975 and Regulation no 78-190 of 5 May 1978. - Ministerial decree no 55 of 7 December 2006. - Articles 34 to 37 (Biological Environment) of Schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Schedule XII of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Code Foncier (1973, amended in 1980).
Noise and vibrations.	- Schedule XIII of the Mining regulations, Articles 1 to 6. - Articles 46 to 48 from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003.
Cultural heritage.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Ordinance 70-089 of 11 March 1970. - Ordinance 71-016 of 15 March 1971. - Article 46 of the Constitution of the DRC of 18 February 2006. - Articles 205 and 206 of the Mining Code and Regulations.
Resettlement.	Code Foncier Immobilier et Regime Des Suretés, 5 April 2006.
Waste management.	Framework Law on the Environment (Act No. 11/009 of the 9 July 2011).
Hunting	Hunting law (Act No 82/002 of the 1 June 1982)

Roles and responsibilities

President of the DRC

The President has jurisdiction over the classification of 'prohibited areas' which include, amongst others, sensitive environments.

Minister of Mines

The Minister of Mines has the ultimate jurisdiction over the granting and refusing of mining rights.

Directorate of Mines

The Directorate of Mines is responsible for inspecting and supervising mining activities and quarry works with regard to safety, health, work procedures, production, transport, sale and social matters.

Directorate Responsible for the Protection of the Mining Environment (DPEM)

The DPEM, within the Ministry of Mines, is responsible for all aspects relating to the protection of the environment for mining related activities. This Directorate is responsible for the implementation of and compliance with the relevant regulations contained within the Mining Code and Regulations by new mining developments in the DRC (Article 15, Mining Code 2002).

The Permanent Assessment Committee, consisting of 14 members is, chaired by the Director of the DPEM. The Committee exists to review EIS and EMPPs and has a maximum of 180 working days within which to conclude its review of the EIS and EMPP. It is required to deliver its recommendation to the *Mines Registry*.

International agreements and conventions

The DRC is signatory to a number of international agreements and conventions relating to environmental management. They set the context within which the DRC regulatory regime operates, and may therefore indirectly affect the proposed project. The key agreements are summarized in Table 14 below.

Table 14: Key international agreements

Aspect	Agreement/convention
Climate change/air quality.	- United Nations Framework Convention on Climate Change (UNFCCC), 1994. - Kyoto Protocol, 1997. - Vienna Convention for the Protection of the Ozone Layer, 1985. - Montreal Protocol on Substances that Deplete the Ozone Layer, 1989.
Biodiversity and protected areas.	- Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar/Wetlands Convention), 1971. - Convention on the International Trade of Endangered Species of Wild Fauna and Flora (CITES), 1973. - United Nations Convention on Biological Diversity, 1992 (UNCBD). - Cartagena Protocol on Biosafety (CPB). - United Nations Convention to Combat Desertification, 1994 (UNCCD). - Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. - Rotterdam Convention on the Prior Informed Consent Procedure on Certain Hazardous Chemicals and Pesticides in International Trade

	(1998). • Stockholm Convention on Persistent Organic Pollutants. • United Nation's Forum on Forests (UNFF). • Treaty on Central African Forests Commission, 2004. • Algiers Convention. • Bonn Convention on Migratory Species.
Cultural heritage.	• United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970. • UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972 (World Heritage Convention).
Human rights.	• International Convention on the Prevention and Punishment of the Crime of Genocide. • International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). • International Covenant on Civil and Political Rights. • International Covenant on Economic, Social and Cultural Rights. • International Convention on the Elimination of All Forms of Discrimination Against Women. • Convention on the Rights of the Child.
Labor health and safety.	• Elimination of all forms of forced and compulsory labor – Convention 29 and 105. • Elimination of discrimination in respect of employment and occupation – Convention 100 and 111. • Effective Abolition of Child Labor – Convention 138 and 182.

Annexure C: Summary of stakeholder comments and perceptions received during ECTECH process (2012)

Summary of stakeholder comments and perceptions received during ECTECH process

This section provides an overview of key comments and issues raised by stakeholders, and their perceptions about the project, in the ESIA process undertaken by ECTECH in 2012. **Note: with the exception of a few headings, no changes were made to the content or grammar of the information provided in the ECTECH report.**

Summary of stakeholder comments received during the ESIA in 2012

The comments, issues and overall perceptions expressed by stakeholders consulted in the ECTECH ESIA process conducted in 2012, are captured in Table 15 and summarised below.

- Summarily, the people have positive perception about project installation.
- All the people in the project area are aware of the project.
- They are of the views that the project will help to provide them job opportunities, reduce poverty, promote education, improve infrastructure, bring general awareness, promote health facilities etc.
- There is an expectation that there will be qualitative and quantitative improvements in all walks of life. Their future generations will have the chance to live a better life in all respects.
- Among the people consulted as a part of the Public Consultations, all of them welcome the project.
- The people have clear perception that the installation of the plant in the area is beneficial for the community especially and country on the whole.
- Study findings depict that the people of the study area perceive overall positive impacts as a result of installation of the plant. Therefore, their attitude towards the project installation is quite positive.
- As far as the Social Impact Assessment (SIA) is concerned, positive social impacts are dominant over hardly conceived any negative social impacts observed during the study.
- The people have high expectations and hope from the plant activity and its management.
- They correlate their positive attitude towards the plant with many socio-economic opportunities and benefits.
- The people believe that installation of the plant in the area will open up employment opportunities which in turn follow a chain of indirect socio-economic benefits.
- They also perceive accelerated economic activity due to the business opportunities likely to emerge in the area.
- Directly or indirectly, hundreds of the local people will get employment and business from the installation of the plant.
- People foresee many socio-cultural and psychological positive impacts on their lives and the community.
- They feel that the plant and its related activities will provide a strong base for social change.

Potential impacts perceived by stakeholders

According to the data gathered by the ECTECH experts, the impacts perceived by the inhabitants of the project area and the government officials can be divided into two categories below:

- The government officials responded in terms of National growth of DRC and positives impacts of this project on macro level including the domestic need of cement for DRC and for export after the domestic needs' satisfaction.
- The responses of the inhabitants of the project area were of micro level including development of the area, provision of roads, availability of medical facilities and up gradation of educational institutions.
- Positive impacts are perceived by all the respondents as almost all the respondents are very enthusiastic about the installation of the plant because it will surely raise the living standard of the people of this area along with more jobs and business opportunities.
- The inhabitants of this area do not feel any threat to their cultural values as their society is homogenous in nature and they look forward to this project as an opportunity to rebuild their future as well as the future of their upcoming generations.
- Most of the respondents including the Government Officials and local people of the area emphasized that this project will bring development to the area around the project site. This development is followed by certain indicators.
- Personnel from the Environment Ministry considered this project as "Real Need" as the installation of this Cement Plant will result in positive economic impacts for the local people and for DR Congo as well.
- Majority of the Government Officials were concerned about the installation of this Cement Plant regarding its compliance to the Mining Laws and Environmental protection but when they were told about the safety measures that will be taken for Environmental protection, they were satisfied and happy about this Project.
- Representatives of the government were of the opinion that by the installation of this plant, cement price will be more acceptable and within the approach of local people.
- This plant will serve as a mile stone for other investors to come in and invest in the area.
- People of the area are quite positive towards the economic change in their society.
- They want modernization and have an adaptive behaviour towards new changes.
- Head of Songololo Territory expressed her views in terms of increase in the revenue of the territory, development of the District and Province, as a result of the installation of this Cement Plant.
- All the respondents collectively expressed their views in terms of development of their lives, their villages, their territory, District, Province and ultimately the development of their country DR Congo.
- The respondents expressed their expectations regarding the job opportunities which will be available as a result of this plant installation.
- More the jobs better the chances of Social Mobility of the people so the installation of this Cement Plant will contribute to the welfare of the masses.
- The people expect this Cement plant to become a source of decreasing beggary as people will find new employment opportunities.

- The respondents also considered the installation of this Plant as a positive step towards industrialisation.
- The respondents also expect Electricity to be available.
- With the installation of the Cement Plant, the people expect roads development.

The **females expression and expectation** regarding the installation of this Plant were also recorded.

- There is a lot of poverty in DRC and project area is also struck by poverty so the females want this project so that their upcoming generations will have enough to eat.
- They are also very concerned about the education of their children
- They also want their children to have better life than their elders.
- They better health facilities in their area as for the time being there are no proper medical facilities available.

Rawji Foundation has always been involved in social welfare activities and for these demands Nyumba Ya Akiba is also committed to provide educational and health facility to the people of this area.

- The respondents also expect more sophisticated economic activity in their area because with the installation of this Plant more people will come here so transportation facilities will be improved, hotels, shops and other necessities of life will be provided in this area and this will bring prosperity to the people.
- The only village that is going to be displaced is Yuku Camp Village and the response from the people of this village was as positive as the rest of the people of other villages. They were demanding house in return for the house.

Table 15: Stakeholder comments received during the ESIA conducted by ECTECH in 2012

Sr #.	Name	Sex	Age	Designation/Profession	Qualification	Address	Views about the Project
1	Emene Elenga	Male	Adult	Chief Executive of GEEC		25 Urban Committee Avenue, Kinshasa	This project is welcomed in the manner that our country is on the development way, so it is a real need, To see the quantity of the cement from importation, I think that the local production is the best not only because it gets an economic impact but also the creation of job.
2	Matete Amani Polydor	Male	40	Geologist and Chief of Division in dept of protection of Mining Environment		239.Ex-SNEL Building Tower, Kinshasa	For the moment, it is very important to have a production project of cement in the province of Bas Congo and this project must respect the Mining Law and regulation of the DRC. At the environmental view, the project must care bout the protection of the environment and the application at the site as durable or permanent development. The project must work in collaboration with the local authority, the local population (By giving jobs). The cement plant must manage and protect the environment affected by the project
3	Gabriel Twakwila	Male	Adult	Manager Environment	Pedagogue	Environmental Ministry	This project is welcome because it will lead other investors to come in our country and we are the time of modernization as said by the president of DRC
4	Eale Ekila Huguette	Female	Adult	National Pollster/Investigator	Graduate in Finance	Environmental Ministry	It is a good project because the cement plant will be established at good area where there is not a lot of population
5	Mudosa Chirhabal Wa pierre	Male	Adult	Chief of the board In Charge of Management of Classified Establishment	Graduate in Bio Chemistry	Environmental Ministry	At my opinion it is a good project to develop the DRC in general and especially the province of Bas Congo. It will be better if the project is also established in other provinces of the country like Sud-Kivu and Katanga where the environment I better for this kind of project
6	Beatrice Nlemvo Sukama	Female	Adult	Territory Incharge, Songololo		Songololo Residential	It is a good project because; It reduces the beggary, It helps raising the revenue of the territory, Improvement of the lifestyle of the local population by building new houses at Yuku, Schools, Hospitals, Roads, Bridges. Pure water and electricity. We wish the success of this project and advise them to respect the Environment Law and the local community
7	Antoine Mayifuila Ndosiba	Male	52	Supervisor of the Environment, Songololo	High School Diploma	Kimpese, 47 Dodoma Street	This is my point of view; the project is good because it will reduce beggary and reduce the price of cement bag in the market
8	Vincent Depaul Ilunga Ndai Makela K.	Male	Adult	Technical Engineer in Cleaning up and Environment, Chief of Environmental Norms and Regulation Dept.		Environmental Ministry	On the basis of economical view, this project will help the country at the industrialization side. From the social view it will resolve cutting. People will find jobs.
9	Nayamuene	Male	34	Farmer		Kinsua	I am happy about this project and I am asking to Nyumba Ya Akiba to build houses for us and connect us to the power electricity
10	Utidi Selipa	Male	55	Instructor	5 Years	Kokolo	Yes I want this project to start
11	Bilezi Mulumba George	Male	54	Trader	1st Level	Kinsua	We want bridges, roads and farming activities. It is a good project for the development of our country
12	Marie Lusinga	Female	59	Farmer		Kinsua	Built bridges, roads, houses and electricity and project will give job to our children
13	Kafutikinga	male	40	Nurse	A 2	Kinsua	It is a good project for the development of our province and village, Nyumba can build very good bridges, schools, that can also give job to us so e=we can help our family
14	Pete Cessil	Female	27	Nurse	A 2	Kinsua	It is a good project for the development of our province and village, Nyumba can build very good bridges, schools, that can also give job to us so e=we can help our family
15	Mampuya Antoine	Male	35	Farmer		Kinsua	It is a good project because we want our country to develop. And the project will give job, You an also build bridge, Hospital and Schools
16	Mupupe Makuntuala Amen	Male	48	Mechanic	High School Diploma	Kinsua	Good for development of our village, engagement of entitled beneficiary. Building construction of market, school and hospital, cement plant contract with entitled beneficiary
17	Nkongo Ndosimau	Male	29	Mechanic	Elementary	Kokolo	The Nyumba Ya Akiba project is good because it will help people. We are happy because you will help us, thank You
18	Lutalkueno	Male	37	Farmer		Kokolo	This project is very good for the development of our village. Built roads and schools
19	Matafuka Maluvuidi	Male	52	Farmer	High School Diploma	Kokolo	For the development of our villages, reduce the rate of beggary, built hospital, market and schools. Give job to our children

Sr #.	Name	Sex	Age	Designation/Profession	Qualification	Address	Views about the Project
20	Thomas Nkunku	Male	Adult	Farmer	High School Diploma	Yuku	Nyumba got a good project because it is showing the best future of our province. This project will bring the development for the future generation of our community. This project will give job opportunity, and if they want us to shift from Yuku village; the project must build new houses at a new place. the project should not bring toxic products around us
21	Patrice Adieyi	Male	41	Farmer		Yuku	Good project for the improvement of our lifestyle by giving us job, pure water, electricity, telephone... So the development of our land. I am just worried about our fauna and Flora because many people will be around and we will face health problems
22	Shora Mbiyavanga	Male	30	Farmer		Yuku	This project is good for our village, now will be like Lukala and Kimpese. This project will change our daily lifestyle. Our poverty will be reduced and our children will be educated. We are lucky to have this project in our area and we will have free access to the information and medical care
23	Joseph Kembela Lunzayiladio	male	64	Secretary	A 3	Minkelo	For me, this project is good for the development. Nyumba Ya Akiba must respect the environment and local community for a durable development
24	Michel Mvukani Manson	Male	49	Chief of Under Post	Graduate in Bio Chemistry	Minkelo	It is a good Project because the project will reduce the beggary and raise the social life of the population
25	Nsumbu Antoine	Male	52	Junior Instructor	Deaf School	Mawete	Good project, start as soon as u can
21	Katumua Mado	Female	50	Farmer	Primary School	Kokolo	Good for the development of our village
22	Nzuzi Maluzapangidi	Male	24	Driver		Kokolo	We just want development of our village
23	Kiese Mavomua	Male	20	Housewife	Primary School	Kokolo	We really want this project because it will bring development and reduce the begging of our population
24	Esai Mvene	Male	34			Kokolo	Job
25	Nsimba Moyo	Female	27	Mechanic		Kokolo	It is good because many people will have jobs, Build also hospital and we hope we will receive many advantages
26	Kisuka Nicole	Female	32	Farmer	Deaf and Dumb School	Kokolo	Start as soon as u can, it is a good project
27	Moyo Makenga	Female	74	Farmer	Mechanical Diploma	Mbemba	Development of the roads, school, health, walk exercise, electricity, education, transport, communication
28	Mambote	male	34	Farmer	High School Diploma	Mbemba	It is a good project before all things we need job opportunity, hospital, schools and roads.
29	Nsimba	Male	60	Farmer		Mbemba	It is good for the development of the province to give jobs, built schools, hospital, market and electricity supply
30	Samuel Toko	Male	52	D.U.C	Primary School	Mbemba	We just need the development and change in our province
31	Ndongala Andre	Male	Adult	Farmer	Primary School	Mbemba	Good for the development of our province
32	Lumbuenadio Jacky	Female	20	Farmer	Primary School	Minkelo	We want this project to start
33	Lubuilu Promesse	Female	34			Mbemba	It is a good project but they have to give job to me also so I can send my children at school and after their study, they can help me out
34	Tutonda Emmanuel	Male	34	Farmer	Community	Minkelo	Cleaning up of well(pit) and help to resolve some farming problems
35	Luzieso Nkenge	Male	36		A 3	Minkelo	Good project, do what u can do
36	Nzuzi Mambueni	Male	36	Nurse	A 2	Minkelo	It is good project because younger people will get jobs this will reduce poverty
37	Makiese	Male	42	Farmer		Minkelo	There is any job for me?
38	Nzuzi Lusakueno	Male	23	Farmer	Primary School	Minkelo	This project must start
39	Yeko Nsongo	Male	34	Nurse			We agree with the idea of building of new site in our area
40	Diangingindu Marcel	Male	25	Driver		Minkelo	Any kind of service give job for the local driver and also bakery
41	Nsilulu Metuzola	Male	Adult	Farmer	Chief on Nknonda Village	Nkonda	Yes, this project is very good for the development of the village and to give work to the population
42	Muleba Wa Mulembo	Male	65	Farmer		Mawete	Yes, this project is very good for the development of the village and to give work to the population

Variables/parameters used for above Table.

- Development
- Real Need
- Positive Economic Impact
- Job Creation
- Compliance with Mining Laws
- Environmental Protection
- Collaboration with local authorities
- Industrialization
- Social Welfare
- Electricity
- Bridges
- Roads
- Secure Future of children
- Schools
- Hospital
- Market
- Reduced Beggary
- New investment
- Modernization
- Increased Revenue of Territory
- Cheaper price of cement
- Better future
- Telephone
- Security of Flora and Fauna

Annexure D: Summary of stakeholder comments received during the ESIA update by SRK

Summary of stakeholder comments received during the ESIA update by SRK (2013)

The comments, issues and overall perceptions expressed by stakeholders consulted during the focus group meetings and key informant interviews undertaken by SRK in June 2013 for the ESIA update, are captured in Table 16

Table 16: Stakeholder comments received during the ESIA update conducted by SRK in 2013 and the references in the ESIA Report

COMMENTS, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	STAKEHOLDER NAME	ORGANISATION/ COMMUNITY (POSITION)	DATE	MEETING WHERE COMMENT RECEIVED
The project is welcomed as the community believes it will boost local development. Note that the total population of Minkelo is estimated at 1080 inhabitants, and that an estimated 8000 people from 21 communities are dependent on the services and facilities at Minkelo Health Centre. The implementation of the cement project will attract more people to the area, and there is concern that the Minkelo Health Centre will not be able to cope with the increased demand for health care services and facilities. It is hoped that the NYA Cement Project will support Minkelo Health Centre with materials and equipment.	Nzuzi Mambueni	Minkelo Health Centre (Principal Nurse)	15 June 2013	Key Informant interview
Only 60% of patients that receive treatment at Lamba/ Kimpesse Hospital are able to pay consultation fees, or for the treatment. This is due to the high rate of unemployment in the area. The community has hope that this will change with the development of the NYA Cement Project in the area, and that it will also result in farmers being more profitable, and uplift the quality of life of local communities.	Leontine Kakiesse	Lamba/ Kimpesse Hospital (Manager)	18 June 2013	Key informant interview at Lamba/ Kimpesse
This project will create opportunities and boost the local economy and provide jobs for the youth. In doing so, people in the rural areas will be less inclined to migrate to urban areas in seek of job opportunities.	Kiala Kiamesso	Ecole Publique 3 Nzolo (Headmaster)	18 June 2013	Key informant interview at Nzolo Public School at Kimpesse
Providing motorbike transport in Minkelo was once a profitable business, but this has declined with the migration of people out of the area, like the return of Angolan refugees to their country, and the increase in motorbike drivers in Minkelo. It is expected that the viability of the motorbike transport business will improve when the NYA project starts and more people move to the area.	Abdalah	Minkelo Community (Motorbike driver)	18 June 2013	Key informant interview at Minkelo weekly market
My business which started in 1985, of buying Chicoangue from the communities adjacent to the NYA project area, and selling it in Matadi or Kinshasa, used to be profitable. But this has changed because the condition of the road from the farms to the market has deteriorated over the years, and the farmers, mainly women who produce the "Chicoangue" have great difficulty in getting their product to the	Nzuzi Tukiyyina	Matadi Resident (Local business man, attending Minkelo market weekly)	18 June 2013	Key informant interview at Minkelo weekly market

COMMENTS, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	STAKEHOLDER NAME	ORGANISATION/ COMMUNITY (POSITION)	DATE	MEETING WHERE COMMENT RECEIVED
market. This has a negative impact on me as the buyer and women as the sellers. It is hoped that that when the NYA project starts, that the condition of the roads from the farms to the market will be upgraded to improve access.				
There are expectations that the project will result in opportunity and benefits for the local communities. These expected benefits include job creations, boost to the local economy (small businesses such as selling dried fish, crops etc.) and upliftment of peoples' quality of life.	Manzambi Mabanza Geremi	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Minkelo weekly market
It is pleasing that the NYA project already recruits people from local communities, and is contributing to the upliftment of people in the area. Being employed as a caretaker at NYA, I am happy to be a part of the project.	Toko Samuel	DUC (a DUC is administration representative at community level).	14 June 2013	Household survey in Mbemba Community
The Mbemba Community looks forward to the development of the NYA project in the area, especially in terms of job opportunities for the youth. The community would also like NYA to assist with the upgrade of the roads especially the bridge across Sanzikwa river linking Mbemba Village to Yuku Village.	Katumua Madeleine	Mbemba Community (Farmer)	14 June 2013	Household survey in Mbemba Community
The youth welcome the NYA project and look forward to employment opportunities.	Bizuka Makanda	Mawete Community (Mechanic)	15 June 2013	Focus group meeting with youth in Mawete Community
Unemployment is a major concern in the area and the youth in local communities welcome the NYA project as it will create employment opportunities.	Nlandou Songo	Minkelo Community (Heavy duty vehicle driver)	15 June 2013	Focus group meeting with youth in Minkelo Community
The local community welcomes the NYA project as it will contribute to the upliftment of the quality of their lives, and associated benefits such as electricity.	Kabangu Loty	DUC (Administration representative at community level) Mawete II	15 June 2013	Focus group meeting with youth in Mawete Community
Local farmers would appreciate agricultural support from NYA in order to improve their livelihoods from farming.	Utidi Alice	Kokolo Community (Farmer)	19 June 2013	Focus group meeting with women of Kinsua, Mbemba and Kokolo Communities at Yuku camp
	Cecile Pete	Kinsua Community (Farmer)	19 June 2013	Focus group meeting with men of Kinsua, Mbemba and Kokolo Communities at Yuku camp

COMMENTS, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	STAKEHOLDER NAME	ORGANISATION/ COMMUNITY (POSITION)	DATE	MEETING WHERE COMMENT RECEIVED
People hope that the project will bring benefits and development to the local communities, and that their farming activities will be more profitable as the number of people in the area increase.	Lumfimpdio Nkengue	Yuku Community (Farmer)	13 June 2013	Household survey at Yuku camp
If the Yuku Community is relocated, an area of similar or better agricultural potential must be selected.	Lumfimpdio Nkengue	Yuku Community (Farmer)	13 June 2013	Household survey at Yuku camp
The NYA project is welcomed as it brings hope that schooling facilities in the area will be improved and supplies provided to create a more conducive environment for pupils.	Wayika Salanga Baudouin,	Nkonka Primary School (Teacher)	17 June 2013	Key informant interview at Nkonka Primary School
	Luvedoso Vankatu	Minkelo Primary School (Teacher)	18 June 2013	Key informant interview at Minkelo Primary School
The potential of the NYA project to create jobs and sustainable development is seen as a major opportunity for local development.	Misolukidi Muzita	Minkelo Primary School (Deputy Headmaster)	18 June 2013	Key informant interview at Minkelo Primary School
Local business opportunities will improve because once people are employed at NYA, there will be more money available to boost the local economy.	Luyindula Kayembe Alain	Minkelo Community (Local business man)	18 June 2013	Key informant interview at Minkelo weekly market.
Local communities look forward to the project starting as soon as possible, as they expect positive impacts on economic activities, reduction in unemployment, and a reduction in the price of cement.	Richard Muanda Mbungu	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Kimpesse market
	Nicolas Nyimbi	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Kimpesse market
For several months before a cement factory in Kimpesse closed down, its employees did not receive their salaries. What guarantees are there that the NYA project will not face the same difficulties?	Simon Ndombe;	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Kimpesse market
How will the NYA project manage cope with the existing electricity shortage being experienced in the area?	Simon Ndombe;	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Kimpesse market
People in the area are eagerly awaiting the start of the NYA project and its benefits in terms of job creation and boosting the local economy to make farming more profitable.	Nkumbu	Kimpesse Community (Local business man)	18 June 2013	Key informant interview at Kimpesse market
The community will appreciate if NYA project upgrades access roads between farms and the market, because the poor road conditions hamper farmers from transporting their crops to market.	Diankanumua Eugenie	Kokolo Community (Farmer)	19 June 2013	Focus group meeting with women of Kinsua, Mbemba and Kokolo Communities at Yuku camp
It would be ideal for the Yuku Community to be relocated to Mbemba Village because it is close to people's land.	Adieyi Luyilai	Yuku Community (Farmer)	19 June 2013	Focus group meeting with men in Yuku Community
The NYA Project is eagerly awaited because of all the opportunities and benefits that it will bring towards improving the quality of life for communities in the area.	Adieyi Luyilai	Yuku Community (Farmer)	19 June 2013	Focus group meeting with men in Yuku Community
As much as people look forward to the NYA project to provide employment	Noa Michel	Yuku Community	19 June 2013	Focus group meeting with

COMMENTS, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	STAKEHOLDER NAME	ORGANISATION/ COMMUNITY (POSITION)	DATE	MEETING WHERE COMMENT RECEIVED
opportunities for the youth and boost local development, there is also concern that people's farms will be destroyed.		(Farmer)		men in Yuku Community
The youth of Mawete Village look forward to job opportunities at NYA.	Nkiwansisila Hakanda	Mawete Community (Mechanic)	15 June 2013	Focus group meeting with youth in Mawete Community
Due to unemployment in the area, there is an increase in the incidence of alcoholism amongst the youth in Minkelo Village.	Massoluka Fabrice	Minkelo Community (Farmer and charcoal maker)	15 June 2013	Focus group meeting with youth in Minkelo Community
Most of the youth are currently involved in charcoal-making, which in time, will contribute to irreversible degradation of the environment.	Massoluka Fabrice	Minkelo Community (Farmer and charcoal maker)	15 June 2013	Focus group meeting with youth in Minkelo Community
Although parents have spent lots of money on schooling their children, there are no jobs available. The youth therefore look forward to the NYA project.	Ndemvokolo Nkebi	Minkelo Community (Farmer and Charcoal maker)	15 June 2013	Focus group meeting with youth in Minkelo Community
It would be appreciated if NYA provides agricultural support to local farmers, and purchases their products for its staff when the cement project starts.	Malungu Marcel	Kondo Kiombia Community (Farmer)	16 June 2013	Focus group meeting with youth in Nkondo Kiombia Community
The community welcomes the NYA project, and would appreciate assistance to upgrade the road to enable easier access to sell their crops at Minkelo.	Tombo Tuzola	Kondo Kiombia Community (Farmer)	16 June 2013	Focus group meeting with youth in Nkondo Kiombia Community
The NYA project is welcome because it is expected to create many jobs opportunities for local communities.	Cecile Pete	Kinsua Community (Farmer)	19 June 2013	Focus group interview with women of Kinsua, Mbemba and Kokolo communities at Yuku camp
CRAFOD kindly requests financial assistance from NYA as this will enable the organisation to successfully implement development projects in the area.	Gustave Muyamuna Kafenga	Centré Régional d'Appui et de Formation pour le Développement (CRAFOD) (Information and Documentation Manager)	19 June 2013	Key informant interview at Kimpese
It is understood that collaboration between Lycee Lamba Ntumua and NYA is not appropriate at this stage because the project is still in the exploration phase. Lycee Lamba Ntumua however, looks forward to working with NYA on development projects in the future.	Emile Bavedila	Lycee Lamba Ntumua (Principal)	19 June 2013	Key informant interview at Kimpese
We are grateful for the wooden boards recently donated by NYA, and would like to work with NYA on more development projects since ITP is a technical college.	Nlomba Daniel	Kiundu School (Principal)	19 June 2013	Key informant interview at ITP Technical College in

COMMENTS, ISSUES AND SUGGESTIONS RAISED BY STAKEHOLDERS	STAKEHOLDER NAME	ORGANISATION/ COMMUNITY (POSITION)	DATE	MEETING WHERE COMMENT RECEIVED
				Kimpese
NYA and the Environmental Department of the Sector should work together to address the impacts caused by fishing, hunting and wood cutting, as these impacts are currently not monitored.	Joseph Kembela	Luima Sector (Head)	21 June 2013	Key informant interview at Luima Sector in Mawete
Minkelo Police Station kindly requests financial assistance from NYA as this will enable the police force to patrol the area more efficiently. Specific needs include, two motor bikes, electricity and, computers to record crime statistics electronically.	Mbambi Mvumbi Jacques	Minkelo Police Station (Deputy Principal Commissioner, Police Station commandant	21 June 2013	Key informant interview at Minkelo Police Station

Summary of key comments from focus group meetings with women

Yuku Village:

- There is expectation that the NYA project will contribute to the improvement of the quality of life in Yuku Village for example:
 - improving access to potable water
 - upgrading roads for people to transport their crops to market
 - improving school and health care facilities.

Kinsua Village:

- There is hope that the NYA project will employ the husbands and youth from the village
- The village requires electricity supply
- NYA should consider community development projects to improve school and health care facilities in the area
- NYA should also promote adult literacy classes
- The project is welcome as it is the start of a process to address the unemployment in the area.

Kokolo Village:

- NYA is requested to prioritise recruitment of husbands and youth from Kokolo Village for employment opportunities at the cement plant.
- The community looks forward to the benefits and development opportunities that will result from the project, even though the community will lose its land.

Kondo Kiombia Village:

- The NYA project will assist to reduce unemployment in the area.
- There is an expectation that NYA's community development initiatives will improve school and health care facilities for the benefit of all the affected local communities
- The community looks forward to the development of the village
- The project will have a positive impact on the local economy of the area as more money will be in circulation as a result of people being employed.

Mawete Village:

- It is hoped that the NYA project will improve the quality of life in the community for example by improved access to basic facilities, and reducing unemployment.

Mbemba Village:

- It is hoped that the NYA project will improve the quality of life in the community for example by improved access to basic facilities in the area.
- NYA should consider facilitating access to adult literacy classes for women and young mothers.
- The only negative aspect of the project is that the community will lose its land.

Minkielo Village:

- The project is welcomed as it will create job opportunities for the husbands and youth in the village.
- The community would appreciate agricultural support to improve production for example, farming tools and fertilisers.
- Electricity supply to the community, if possible, will be greatly appreciated.

Summary of key comments from focus group meetings with youth

Kondo Kiombia:

- The NYA cement project is an opportunity for the youth of the area to be employed.
- The project will benefit communities because the price of cement will be lower, and therefore more affordable for community members to build houses.
- People look forward to the project because they expect it to bring development to the area, and to improve the local economy for example, boosting the sales of their agricultural produce.

Minkielo Village

- The project is welcomed because it will provide employment opportunities for the youth of Minkielo Village, and boost local development.
- The community hopes that the project will make it possible for the village to access electricity.

Mawete Village:

- The NYA cement project is an opportunity for the youth of the area to be employed.
- The project is welcomed as it will bring development in the local area.

Summary of key comments from focus group meetings with men

Yuku, Mbemba, Kokolo and Kinsua Villages:

- The community looks forward to the employment opportunities the project will bring to the youth of the area.
- Other expected benefits to local communities are that the roads will be upgraded for better access to markets, and that there will be more vehicles in the area to assist farmers to transport their produce to markets.
- Communities also look forward to NYA's community development projects and hope that they will meet some of the development needs and assist to uplift the quality of life for local people.
- NYA should consider providing internship and training opportunities to the youth in the area, particularly those without formal schooling.

Kondo Kiombia Village:

- The project is eagerly awaited and communities are proud to have the project in their area
- People look forward to the boost in the local economy, and other benefits such as upgrading of the access roads for farmers to transport their produce to market.

Minkielo Village:

- While there is great expectation that the project will boost the local economy, some people are still apprehensive about the effectiveness of the project.

- Minkielo Hill is a sacred prayer site for Christians and Kimbaguists. There is concern that the project will destroy this prayer site.
- Another cement factory started activities about three years, opposite Minkielo Village along the national road. No progress has been made and the project seems to have been abandoned.
- There is concern about air pollution, especially dust from the cement plant, as people expect this to be as at the factory in Lukala.
- There is however hope that the NYA project is realized and that its benefits will present many opportunities for employment and facilitate access to basic facilities in the village.

Mawete Village:

- The community welcomes the project, and count on it to boost local business and development.
- The community also looks forward to other benefits such as upgrading of the access roads for farmers to transport their produce to market

Annexure E: Stakeholder Database

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
STAKEHOLDER CATEGORY : NATIONAL GOVERNMENT						
Mr	Gabriel	Twakwila	Director Environment	Environmental Ministry	Kinshasa	
Mr	Matata	Ponyo	Premier Ministre	Ministre	Kinshasa	
Mr	Mukoko	Samba	Vice Premier Ministre, Ministre du Budget	Ministre du Budget	Kinshasa	
Mr	Remy	Musongaie	Ministre	Ministre de l'Industrie	Kinshasa	
Mr	Jean Paul	Nemoyato	Ministre	Minsitre de l'Economie	Kinshasa	
Mr	Amani Polydor	Matete	Geologist	Department of Protection of Mining Environment	239.Ex-SNEL Building Tower	
Mr	Andre	Mushama Ndjene	Conseiller Principal	Climat des affaires du Premier Ministre	Kinshasa	
Mr	Joseph	Mukwayanzo	Conseiller	Climat des affaires du Premier Ministre	Kinshasa	
Mr	Matete Amani	Polydor	Geologist and Chief of Division	Department of Protection of Mining Environment(DPEM)	239 Ex-SNEL Building Tower Kinshasa	
Mr		Ramazani	Directeur	Department of Protection of Mining Environment(DPEM)	Kinshasa	
Mr	Emene	Elenga	Directeur	Groupe D'Etudes Environnementales (GEEC)	25 Urban Committee Avenue, Kinshasa	
Ms	Huguette	Eale Ekila	National Pollster/Invetigator	Environmental Ministry	Kinshasa	
Mr	Mudosa	Chirhabal wa Pierre	Chief of the board	Environmental Ministry	Kinshasa	
Mr	Janvier	Mutuga	Directeur Ressources Hydraulique	Gouvernement de la RDC/Ministère de l'énergie	Kinshasa	
Monsieur	Gervais	Lubunga Kabula		Direction de Geologie	Kinshasa	
Monsieur	Mukenge	Lukona		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Faustin	Mukendi		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Madame	Pualine	Sumaili		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Madame	Deocracia	Bafola		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Andre	Kasonga		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Madame	Josephine	Mwenge		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Tshitenge	Mupemba		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Theophile	Muvovatoto		Juuste Minier	Kinshasa	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Monsieur	Ernest	Munyambi		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Daniel	Sikunu-Diambanza		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Madame	Jacques	Ramazani Lutuba		Direction de Protection de l'Environnement Minier (DPEM)	Kinshasa	
Monsieur	Dominique	Strauy	Ambassadeur	Embassy de Belgique	Kinshasa	
Monsieur	Jean	Dumon	Ambassadeur de l’UE	European Union Embassy	Kinshasa	
Monsieur	James	Entwistle	Ambassadeur des USA	Ambassadeur des USA	Kinshasa	
Madame	Zanele	Sanni	Conseiller Economique	Ambassade d'Afrique du Sud	Kinshasa	
Mr	Vincent Depaul K	Ilunga Ndai Makela	Technical Engineer in Cleaning up and Environment, Chief of Environmental Norms and Regulation Dept	Environmental Ministry	Kinshasa	
STAKEHOLDER CATEGORY: PROVINCIAL GOVERNMENT						
Mr	Vincent Depaul Ilunga Ndai	Makela	Technical Engineer	Gouvernement Provincial		
Mr	Jacques	Mbadu	Gouverneur De Province	Gouvernement Provincial		
Ms	Odette	Gema Kiloya	Ministre Provincial de l’Economie, Commerce, Budget,Portefeuille, Industrie et de la Classe moyenne	Gouvernement Provincial		
Mr	Florian	Masaki	Ministre Provincial de l'environnement et tourisme	Gouvernement Provincial		
Mr	Esperant	Ngoma	Chef de Division Provinciale des Mines / Bas Congo	Division Provinciale Des Mines		
STAKEHOLDER CATEGORY: REGIONAL/DISTRICT GOVERNMENT						
Mr	Jean	Luyinduladio	Commissaire de District des Cataractes	District des Cataractes		
Mr	Ambroise	Bunduki	Chef de Bureau des Mines / District des Cataractes	Division Provinciale Des Mines	Mbanza Ngungu	
STAKEHOLDER CATEGORY : LOCAL GOVERNMENT						
Mr	Kiambembo	Bakeludi Eloi	Administrateur du Territoire	Territoire de Songololo		
Mr	Kembela	Joseph	chef	Secteur de la Luima		
Mr	Mengomo	David	chef	Secteur de Kimpese		
Mr	Jacque Mbambi	Mvumbi	Commandant de la Police _Minkielo	Police Nationale	Minkielo	00 243 816 469 984

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Suana	Makaida	Station Supervisor	Police Nationale	Minkielo	00 243 815 317 306
Mr	Mbambi	MVUMBI Jacques	Commandant de la Police _Minkelo	Police Nationale		
Mr	Malefo	KYANGEBENI	Secetaire du Centre	Centre de Minkelo		
Mr			Chef de Centre	Centre de Minkelo		
Mr	Mawete	NKAMA	chef de poste	Service de l'Environnement		
Mr	Massala	WENA MOYO	Agent	Service Veterinaire		
Mr	Muteba	Wa Mwembo	DUC adjoint	Village Mawete II		
Mr	Kabangu	LOTY	DUC	Village Mawete II		
Mr	Toko	Samuel	DUC	Village Mbemba		
Mr	Adieyi	LUYILA	DUC	Yuku Camp		
Mr	MBIYAVANGA	SAMUEL	DUC	Nkondo Kiombia		
Mr	SUANA	MAKAIDI	Station Supervisor			
Ms	Jacques	Mbandu	Gouverner	Gouverner du Bas Congo	Matadi	
Ms	Odette	Gema Kiloya		Ministre Provincial de l'Economie, Commerce, Budget	Matadi	
Ms	Florian	Masaki		Ministre Provincial de l'environnement et tourisme	Matadi	
Mr	Jean	Luyinduladio		Commissaire de District des Cataractes	Mbanza Ngungu	
Mr	Eloi	Kiambembo		Administrateur de Territoire de Songololo	Songololo	
Ms	Beatrice	Nlemvo		Administrateur de Territoire assistante de Songololo	Songololo	
Mr	Joseph	Kembela	Secretary Shongolo Territory	Chef de Secteur de la Luima	Minkelo	
Mr	David	Mengono Matundu		Chef de Secteur de Kimpese	Kimpese	
Mr	Mvuezolo	Ndofunsu		Chef de Groupement de Ngombe Makulukulu	N. Mkulukulu	
Mr		Nsimba		Chef de Groupement de Kimpese	Kimpese	
Mr	Kadifuoka	Mpaka	Mambre Ayant Droit Coutomier et Duc du Village			

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Antoine	Mayifuila Ndosiba	Supervisor of the Environment		Kimpese, 47 Dodoma Street	
Mr	Michel Manson	Mvukani	Chief of Under Post	Minkelo		
STAKEHOLDER CATEGORY : BUSINESS & COMMERCE						
Mr	Richard	Muanda	PROPRIETAIRE GERANT	MAISON RICHARD	Kimpese	
Monsieur	Honore	Njibikila		Federation des Entreprises du Congo (FEC)	Kinshasa	
Mr/Ms	Lusikila	Biens	GERANT	CONGO FUTUR - Chambre froide	Kimpese	
Mr	Patrick	Vandewalle	Directeur General	Nyumba ya Akiba	NYA KIN	
Mr	Guyghens	Bongwele	Geologue	Nyumba ya Akiba	NYA KIN	
Mr	Willy	Ngoyi	Conseiller Juridique	Nyumba ya Akiba	NYA KIN	
Mr	Matthias	Baubau	Directeur Generale Anapi	Agence Nationale de Promotion de l'Industrie	NYA KIN	
Mr	Maurice	Morisho Okenge	Directeur Reseau Ouest/SNEL	Societe Nationale D'Electricite	NYA KIN	
Mr	Patrick	Bambi	Directeur de Cabinet ADG/SCTP	Societe Commerciale de Telecommunication et Poste	NYA KIN	
STAKEHOLDER CATEGORY: CIVIL SOCIETY - Community Members and CBOs						
Mr		Nayamuene	Farmer	Kinsua Community	Kinsua Village	
Mr	Mampuya	Matana	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Nsilulu	Metusola	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Kanamvangawo	Ndongala	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Lulundadio	Kialunda	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Nsololo	Kinsamu	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Diansisi	Kinsamu	Membre Ayant Droit	Kinsua Community	Kinsua Village	
Mr	Lubikulu Venga	Adolphe	Membre Ayant Droit Coutumier	Kinsua Community	Kinsua Village	
Mr	Pierre	Kiatoko		Kinsua Community	Kinsua Village	
Mr	Sebastien	Ndosiba		Kinsua Community	Kinsua Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Albert	Simbi Toyaku	Membre Ayant Droit Coutumier	Kinsua Community	Kinsua Village	
Mr	Maurice	Dinbenzi	Membre Ayant Droit Coutumier	Kinsua Community	Kinsua Village	
Mr	Philippe	Kuvumuse		Kinsua Community	Kinsua Village	
Mr	Simon	Ndimduhu		Kinsua Community	Kinsua Village	
Mr	Simon	Ndombe	Local Business Man	Kimpese Community	Kimpese Village	0243 811 412 3692
Mr	Ndongala	Luzitana		Kinsua Community	Kinsua Village	
Mr	BAMU	NSIDIA		Kinsua Community	Kinsua Village	
Ms	UTIDI	ALICE		Kinsua Community	Kinsua Village	
Ms	KATUMUA	MADO		Kinsua Community	Kinsua Village	
Mr	NZAILU	B.LUKOMBO	Membre Ayant Droit Coutumier	Kinsua Community	Kinsua Village	
Mr	NSIMBA	MP .MABOKE	Membre Ayant Droit Coutumier	Kinsua Community	Kinsua Village	
Mr	KIALANDA	NDOMATESO		Kinsua Community	Kinsua Village	
Mr	MAWONSO ADIEYI	RENE		Kinsua Community	Kinsua Village	
Mr	ADIEYI	LUYILA 2		Kinsua Community	Kinsua Village	
Mr	Kadifuako Ngoy	Gabriel	Ayant droit coutumier	Kinsua Community	Kinsua Village	
Mr	Francois	Mpaka	Ayant droit coutumier	Nionga Community	Nionga Village	
Mr	Dimbezi	Makanzu	Ayant droit coutumier	Nionga Community	Nionga Village	
Mr	Jean	Kivuila	Ayant droit coutumier	Nionga Community	Nionga Village	
Mr	Robert	Kalutezi Ngoma	Ayant droit coutumier	Nionga Community	Nionga Village	
Mr	Albert	Makiadi Nsindani	Ayant droit coutumier	Nionga Community	Nionga Village	
Ms	Sandra	Pita	Community Member	Kokolo Community	Koloko Village	
Ms	Luamba	Nzimba	Community Member	Kokolo Community	Koloko Village	
Ms	Dimfutus	Nziala	Community Member	Mbemba Community	Mbemba Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Ms	Marie	Luvawa	Community Member	Mbemba Community	Mbemba Village	
Ms	Nfalaba	Lukombo	Community Member	Mbemba Community	Mbemba Village	
Ms	Cecile	Pete	Nurse	Kinsua Community	Kinsua Village	
Ms	Marie	Lusinga	Community Member	Kinsua Community	Kinsua Village	
Ms	Yeba	Ngiwamau	Community Member	Kinsua Community	Kinsua Village	
Ms	Marie	Diasamama	Community Member	Kinsua Community	Kinsua Village	
Ms	Menayame	Mafukulwa	Community Member	Kinsua Community	Kinsua Village	
Ms	Alice	Utioli	Community Member	Kokolo Community	Koloko Village	
Ms	Mado	Katumba	Community Member	Kokolo Community	Koloko Village	
Ms	Diluavanga	Lutomadio	Community Member	Kokolo Community	Koloko Village	
Ms	Nsenga	Mpolo	Community Member	Mbemba Community	Mbemba Village	
Ms	Mayanwana	Ndongala	Community Member	Mbemba Community	Mbemba Village	
Ms	Madelene	Katumwa	Community Member	Mbemba Community	Mbemba Village	
Ms	Nsimba	Meleyame	Community Member	Mbemba Community	Mbemba Village	
Ms	Elisa	Bazamu	Community Member	Mbemba Community	Mbemba Village	
Ms	Elizabeth	Mansanga Vakande	Community Member	Yuku Community	Yuku Village	
Ms	Selipa	Lelo	Community Member	Yuku Community	Yuku Village	
Ms	Marie	Kavovi	Community Member	Yuku Community	Yuku Village	
Ms	Jeanne	Mukanda	Community Member	Yuku Community	Yuku Village	
Ms	Lomeo	Nkangu	Community Member	Yuku Community	Yuku Village	
Ms	Julienne	Kiaku	Community Member	Yuku Community	Yuku Village	
Ms	Nkenge	Lumfimpado	Community Member	Yuku Community	Yuku Village	
Ms	Marie	Diasowama	Community Member	Yuku Community	Yuku Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Ms	Eugenie	Dianka	Community Member	Kokolo Community	Koloko Village	
Ms	Medi	Kiese	Community Member	Kokolo Community	Koloko Village	
Ms	Sandra	Kisuka	Community Member	Kokolo Community	Koloko Village	
Ms	Sakala	Diavanga	Community Member	Mawete Community	Mawete Village	
Ms	Poline	Wunu	Community Member	Mawete Community	Mawete Village	
Ms	Marie	Kenge	Community Member	Mawete Community	Mawete Village	
Ms	Mandia	Ntima	Community Member	Mawete Community	Mawete Village	
Ms	Brigitte	Matete	Community Member	Mawete Community	Mawete Village	
Ms	Marie	Makutima	Community Member	Mawete Community	Mawete Village	
Ms	Bazolele	Tambudila	Community Member	Mawete Community	Mawete Village	
Ms	Ida	Mazolele	Community Member	Mawete Community	Mawete Village	
Ms	Kiasemo	Matondo	Community Member	Mawete Community	Mawete Village	
Ms	Marie	Tonita	Community Member	Mawete Community	Mawete Village	
Ms		Lotizinga	Community Member	Mawete Community	Mawete Village	
Ms	Marie	Ntozolo	Community Member	Mawete Community	Mawete Village	
Ms	Ngina	Mahu	Community Member	Mawete Community	Mawete Village	
Ms	Wumba	Nlandu	Community Member	Mawete Community	Mawete Village	
Ms	Fimama	Nginayame	Community Member	Mawete Community	Mawete Village	
Ms	Poline	Mbizi	Community Member	Mawete Community	Mawete Village	
Ms	Zidi	Songa	Community Member	Mawete Community	Mawete Village	
Ms	Diluavanga	Lutonadio	Community Member	Mawete Community	Mawete Village	
Ms	Nsiba	Nsilulu	Community Member	Mawete Community	Mawete Village	
Ms	Kayolua	Mavuti	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Ms	Zola	Lubondo	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms		Ngindu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms		Nguynzukulu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Dianese	Mazuele	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Lidia	Niyanga	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Ndundu	Nzinga	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Tombo	Tuzola	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Ndona	Ndundu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Poline	Kuentadisa	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Nelly	Mlandu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Adriyene	Lubanzadio	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Sukami	Diambu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Mami	Lesu Ndongala	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Makumbu	Mangudi	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Sintu	Mantalani	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Sophi	Zayakio	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Sivi	Mbedolo	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Izabele	Tukeba	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Basisadio	Nsimba	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Basisadio	Banungamana	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Lusikila	Diakiese	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Nlandu	Tekasala	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Dilandua	Ngitukulu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Ms	Masanisa	Mavungu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Lusivikadio	Nsilulu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Selinex	Matesa	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Makiese	Binasala	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Nlandu	Kimbembi	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Miezi	Kimbembi	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Basakumuna	Nkanza	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Wavedila	Nsinga	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Mambueni	Ndvakulu	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Natasha	Nkenga	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Clementine	Vonzayavo	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Kelo	Kapombo	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Motono	Wasakumuka	Community Member	Kondo Kiombia Community	Kondo Kiombia Village	
Ms	Dola	Matekila	Community Member	Minkelo Community	Minkelo Village	
Ms	Bijoux	Banganga	Community Member	Minkelo Community	Minkelo Village	
Ms	Marie	Muilu	Community Member	Minkelo Community	Minkelo Village	
Ms	Mami Jeanie	Kiatondua	Community Member	Minkelo Community	Minkelo Village	
Ms	Matondolwa	Manguana	Community Member	Minkelo Community	Minkelo Village	
Ms	Zozo	Makiese	Community Member	Minkelo Community	Minkelo Village	
Ms	Luzolo	Mabuila	Community Member	Minkelo Community	Minkelo Village	
Ms	Makanzu	Wayikua	Community Member	Minkelo Community	Minkelo Village	
Ms	Wumba	Lusavuvu	Community Member	Minkelo Community	Minkelo Village	
Ms	Kiala	Lutonadio	Community Member	Minkelo Community	Minkelo Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Ms	Selipax	Mampova	Community Member	Minkelo Community	Minkelo Village	
Ms	Selina	Diakiese	Community Member	Minkelo Community	Minkelo Village	
Ms	Diatezua	Mkato	Community Member	Minkelo Community	Minkelo Village	
Ms	Marie	Nduakulu	Community Member	Minkelo Community	Minkelo Village	
Ms	Kiaku	Nsimba	Community Member	Minkelo Community	Minkelo Village	
Ms	Jiliene	Kiama	Community Member	Minkelo Community	Minkelo Village	
Ms	Elisabete	Manianga	Community Member	Minkelo Community	Minkelo Village	
Ms	Ndundi	Mbumba	Community Member	Minkelo Community	Minkelo Village	
Ms	Moza	Nadeje	Community Member	Minkelo Community	Minkelo Village	
Ms	Landu	Lutonadio	Community Member	Minkelo Community	Minkelo Village	
Ms	Mavundi	Lumbanzila	Community Member	Minkelo Community	Minkelo Village	
Ms	Selestine	Makiese	Community Member	Minkelo Community	Minkelo Village	
Ms	Marie	Kinsamba	Community Member	Minkelo Community	Minkelo Village	
Ms	Mbete	Nsimba	Community Member	Minkelo Community	Minkelo Village	
Ms	Miezi	Mambuya	Community Member	Minkelo Community	Minkelo Village	
Ms	Matondo	Kvanzambi	Community Member	Minkelo Community	Minkelo Village	
Ms	Beatrice	Nlemvo Sukama	Territory Incharge	Shongolo Community	Shingolo	
Ms	Mado	Katuma	Farmer	Kokolo Community	Kokolo Village	
Ms	Nsimba	Moyo	Mechanic	Kokolo Community	Kokolo Village	
Ms	Nicole	Kisuka	Farmer	Kokolo Community	Kokolo Village	
Ms	Makenga	Moyo	Farmer	Mbemba Community	Mbemba Village	
Ms	Jacky	Lumbuenadio	Farmer	Minkelo Community	Minkelo Village	
Ms	Promesse	Lubuilu	Community Member	Mbemba Community	Mbemba Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Pira	Mandala	Community Member	Mawete Community	Mawete Village	
Mr	Gaston	Mansona	Community Member	Mawete Community	Mawete Village	
Mr	Muesa	Bakangu	Community Member	Mawete Community	Mawete Village	
Mr	Andre	Nsimba	Community Member	Mawete Community	Mawete Village	
Mr	Nseka	Kimbeni	Community Member	Mawete Community	Mawete Village	
Mr	Joseph	Nkiambi	Community Member	Mawete Community	Mawete Village	
Mr	Emanuel	Dokela	Community Member	Mawete Community	Mawete Village	
Mr	Toko	Mpinga	Community Member	Mawete Community	Mawete Village	
Mr	Bizuka	Makanda	Community Member	Mawete Community	Mawete Village	
Mr	Kiviesa	Vangu	Community Member	Mawete Community	Mawete Village	
Mr	Hakan da Edens	Mkiwansisila	Community Member	Mawete Community	Mawete Village	
Mr	Eric	Kameli	Community Member	Mawete Community	Mawete Village	
Mr	Delite	Msimba	Mecanicien	Mawete Community	Mawete Village	
Mr	Papi	Kalombo	Diplome D6	Mawete Community	Mawete Village	
Mr	Mavakala	Mayamona	Mawete Community Member	Mawete Community	Mawete Village	
Mr	Tshando	Diamunitu	Naqon	Mawete Community	Mawete Village	
Mr	Mavakala	Mayamona	Conductuer Pel Charge	Mawete Community	Mawete Village	
Mr	Nsoni	Lwakuwa Dio	Ir Electricite	Mawete Community	Mawete Village	
Mr	Lutete	Bukakondolo	De Pedagogie	Mawete Community	Mawete Village	
Mr	Gaudice	Balunda	Ir Electricite	Mawete Community	Mawete Village	
Mr	Zoladio	Nsimba	Naqon	Mawete Community	Mawete Village	
Ms	Lema	Kimbolo	Infirmier Praticien	Mawete Community	Mawete Village	
Mr	Kenga	Bakembo	Mawete Community Member	Mawete Community	Mawete Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Alimasi	Ndarabu Patian	Lisancier, Science	Mawete Community	Mawete Village	
Mr	Papi	Ilokongwena	Boucher	Mawete Community	Mawete Village	
Mr	Guy	Kitoto	Auto Ecole	Mawete Community	Mawete Village	
Mr	Geremi	Matutu Ngadi	Diplame Electricite	Mawete Community	Mawete Village	
Mr	Patrice	Nzoyilele Luayi	Pedagogie	Mawete Community	Mawete Village	
Mr	Gedeon	Mwengi	Graduate	Mawete Community	Mawete Village	
Mr	Demba	Makanza	Conn & Ad	Mawete Community	Mawete Village	
Mr	Nsingi	Nsunda	Conn & Ad	Mawete Community	Mawete Village	
Mr	Nzayile	Nlandu	Diplome Chinie Biologie	Mawete Community	Mawete Village	
Mr	Claude	Luyindula	Diplome Chinie Biologie	Mawete Community	Mawete Village	
Mr	Lajo	Landu	Mawete Community Member	Mawete Community	Mawete Village	
Mr	Fabrice	Masoluka	De Math-Physique Informaticien	Minkelo Community	Minkelo Village	
Mr	Fukumoko	Lukambo	Cometadm	Minkielo Community	Minkelo Village	
Mr	Matuba	Makuka	Mecanique	Minkielo Community	Minkelo Village	
Mr	Mangani	Kiabonzo	Chauffeur	Minkielo Community	Minkelo Village	
Mr	Kunitima	Diagienda	Chauffeur	Minkielo Community	Minkelo Village	
Mr	Ank	Nuan	Mawete Community Member	Minkielo Community	Minkelo Village	
Mr	Sumu	Matuba	Chauffeur	Minkielo Community	Minkelo Village	
Mr	Nlandu	Nzayadiaku	Chauffeur	Minkielo Community	Minkelo Village	
Mr	Goza	Mlaudud	Chauffeur	Minkielo Community	Minkelo Village	
Ms	Yeko	Nsongo	Infirmier	Minkielo Community	Minkelo Village	
Ms	Nzichi	Mambuwa	Infirmier	Minkielo Community	Minkelo Village	
Mr	Nlandu	Nsongo	Chauffeur	Minkielo Community	Minkelo Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Nkebi	Ndemvokolo	Chamie Biologie	Minkielo Community	Minkelo Village	
Mr	Fisanswa	Matondo	Chauffeur	Kondoriombia Community	Kondoriombia Village	
Mr	Tubi	Tufuisa	D12 Diplome	Kondoriombia Community	Kondoriombia Village	
Mr	Nsingi	Diabanza	Chauffeur	Kondoriombia Community	Kondoriombia Village	
Mr	Tubi	Nsakala	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Samuel	Kinkelwa	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Daniel	Diakiese	Conductuer	Kondoriombia Community	Kondoriombia Village	
Mr	Ditutala	Kabangu	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Daniel	Lena Kiala		Kondoriombia Community	Kondoriombia Village	
Mr	Luzolo	Lundo	Community Member	Kondoriombia Community	Kondoriombia Village	
Ms	Selesitin	Sakalala	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Simon	Kidandamoko	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Diakiese	Dimbala	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Marcel	Malumbu	Community Member	Kondoriombia Community	Kondoriombia Village	
Mr	Lema	Luwawu	Diplome Enseignement	Kondoriombia Community	Kondoriombia Village	
Mr	Philippe	Kia Zayawoko	Mecanicien	Kondoriombia Community	Kondoriombia Village	
Mr	Samuel	Malambu Toko	Caltivateur	Yuku Community	Yuku Village	
Mr	Adieyi	Luyila	Caltivateur	Yuku Community	Yuku Village	
Mr	Noa	Micheur	Caltivateur	Yuku Community	Yuku Village	
Mr	Papy	Adieyi	Caltivateur	Yuku Community	Yuku Village	
Mr	Keme	Dimavakala	Caltivateur	Yuku Community	Yuku Village	
Mr	Bakisa	Nzila	Menuisier	Minkelo Community	Minkelo Village	
Mr	Nkama	Mawete	Chef Poste Environnment	Minkelo Community	Minkelo Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Nalefo	Kyangebeni	Menuisier	Minkelo Community	Minkelo Village	
Mr	Luzayandio	Malueki	Enseignante	PI Kindundu	Minkelo Village	
Mr	Toni Maz	Lusuka	Enseignante	EP Minkelo	Minkelo Village	
Mr	Moyo	Massala Wena	Agens Veterinaire	Minkelo Community	Minkelo Village	
Mr	Njuami	Kialenzwa	Community Member	Minkelo Community	Minkelo Village	
Mr	Nono	Kizolesa	Community Member	Minkelo Community	Minkelo Village	
Mr	La Joje	Bantoubole	Community Member	Minkelo Community	Minkelo Village	
Mr	Masamba	Mpenga	Community Member	Minkelo Community	Minkelo Village	
Mr	Jerome	Nzeyiwo	Community Member	Minkelo Community	Minkelo Village	
Mr	Gabriel	Nzau	Community Member	Minkelo Community	Minkelo Village	
Mr	Ngongo	Nlandu	Chauffeurent	Minkelo Community	Minkelo Village	
Mr	Kizolele	Nzola	Community Member	Minkelo Community	Minkelo Village	
Mr	Joseph	Makabi	Diacre	Resp Minkelo	Minkelo Village	
Mr	Phanza	Landu	Pasteur	Minkelo Community	Minkelo Village	
Mr	Albert	Dimosi	Infeirmier	Minkelo Community	Minkelo Village	
Mr	Ndompeteto	Tusamba	Caltivateur	Minkelo Community	Minkelo Village	
Mr	Mpaka	Mayala	Community Member	Minkelo Community	Minkelo Village	
Mr	Albert	Zoyadioku	Chauffeur	Minkelo Community	Minkelo Village	
Mr	Toko	Kissamba Nzol	Chauffeur	Minkelo Community	Minkelo Village	
Mr	Kuzu	Luvundu Mewa	Electricien	Minkelo Community	Minkelo Village	
Mr	Luyindula	Kayembe	Eleveur	Minkelo Community	Minkelo Village	
Mr	George	Nlandu	Caltivateur	Minkelo Community	Minkelo Village	
Mr	Dadja	Mayazola	Community Member	Minkelo Community	Minkelo Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Arcel	Luntadila	Community Member	Minkelo Community	Minkelo Village	
Mr		Kikadidi	Community Member	Minkelo Community	Minkelo Village	
Mr	Loty	Kabangu	Community Member	Mawete Community	Mawete Village	
Mr	Muteba	Wa Muwimbo	Community Member	Mawete Community	Mawete Village	
Mr	Tutondele	Nsakala	Community Member	Mawete Community	Mawete Village	
Mr	Leon	Nalanda	Community Member	Mawete Community	Mawete Village	
Mr	Nzinga	Lubanzadlo	Community Member	Mawete Community	Mawete Village	
Mr	Mua	Nsalusaku	Community Member	Mawete Community	Mawete Village	
Mr	Georges	Zola	Community Member	Mawete Community	Mawete Village	
Mr	Mpahasa	Nsimba	Community Member	Mawete Community	Mawete Village	
Mr	Loty	Salanga	Community Member	Mawete Community	Mawete Village	
Mr	Nolamatego	Kialamola	Community Member	Mawete Community	Mawete Village	
Mr	Siswa	Akula	Community Member	Mawete Community	Mawete Village	
Mr	Dinogiba	Luayi	Community Member	Mawete Community	Mawete Village	
Mr	Marcel	Lunkaba	Community Member	Mawete Community	Mawete Village	
Mr	Yingila	Wasisua	Community Member	Mawete Community	Mawete Village	
Mr	Keatoko	Bazitudi	Community Member	Mawete Community	Mawete Village	
Mr	Diasiwa	Lumbanziladio	Community Member	Mawete Community	Mawete Village	
Mr	Kiese	Mambu	Community Member	Mawete Community	Mawete Village	
Mr	Micheal	Archange	Community Member	Mawete Community	Mawete Village	
Mr	Jean Pierre	Lusoka	Pasteur	Mawete Community	Mawete Village	
Mr	Nzailu	Lukombo	Community Member	Mawete Community	Mawete Village	
Mr	Vakanda	Nzola	Community Member	Mawete Community	Mawete Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Di	Wampanga	Community Member	Mawete Community	Mawete Village	
Mr	Nrongo	Lusaka	Community Member	Mawete Community	Mawete Village	
Mr		Mangila	Community Member	Mawete Community	Mawete Village	
Mr	Bakes	Diyasilusa	Community Member	Mawete Community	Mawete Village	
Mr	Luzolo	Mvenbe	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Lema	Mawete	Directeur	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Ednord	Tusungama Malanda	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Lusekula	Buamutala	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Ndongala	Makuebe	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Kifuanana	Ndwantoni	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Bianza	Mangani	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Samuel	Mbiyavanga	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Leon	Bayira	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Dimosi	Ndompalu	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Diakiese	Basolwa	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Vuete	Lutonadio	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr		Dianlemvo	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Kielo	Zantuadi	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Mangani	Nsambu	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Kubiri	Luvovadio	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Sere	Mpezo	Community Member	Nkondo Kiambia Community	Nkondo Kiambia Village	
Mr	Lajoie	Lutalkueno	Farmer	Kokolo Community	Kokolo Village	
Mr	Marcele	Ndjibu	Community Member	Kokolo Community	Kokolo Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Masiya	Nsilulu	Community Member	Kokolo Community	Kokolo Village	
Mr	Maluvuor	Matafuka	Community Member	Kokolo Community	Kokolo Village	
Mr	Jean	Nsumbu	Community Member	Kokolo Community	Kokolo Village	
Mr	Sebastian	Diafwana	Community Member	Kokolo Community	Kokolo Village	
Mr	Andre	Mautindi	Community Member	Kinsua Community	Kinsua Village	
Mr	Rene	Mawonso Adieyi	Community Member	Kinsua Community	Kinsua Village	
Mr	Ndosiba	Masaidi	Community Member	Kinsua Community	Kinsua Village	
Mr	Jean	Luwutu	Community Member	Kinsua Community	Kinsua Village	
Mr	Choba	Diakiese	Community Member	Kinsua Community	Kinsua Village	
Mr	Eduer	Kubemboko	Community Member	Kinsua Community	Kinsua Village	
Mr	Pedro	Samy	Community Member	Kinsua Community	Kinsua Village	
Mr	Damas	Mayuku	Community Member	Mbeba Community	Mbeba Village	
Mr	Ndosiba	Masaidi	Community Member	Mbeba Community	Mbeba Village	
Mr	Pierre	Kiatoko	Community Member	Mbeba Community	Mbeba Village	
Mr	Masayidi	Mawakala	Community Member	Mbeba Community	Mbeba Village	
Mr	Selipa	Utidi	Instructor	Kokolo Community	Kokolo Village	
Mr	George	Muluza Bilezi	Trader	Kinsua Community	Kinsua Village	
Mr		Kafutikinga	Nurse	Kinsua Community	Kinsua Village	
Mr	Antonie	Mampuya	Farmer	Kinsua Community	Kinsua Village	
Mr	Amen	Mupupe Makuntuala	Mechanic	Kinsua Community	Kinsua Village	
Mr	Ndosimau	Nkongo	Mechanic	Kokolo Community	Kokolo Village	
Mr	Maluvuidi	Matafuka	Farmer	Kokolo Community	Kokolo Village	
Mr	Thomas	Nkunku	Farmer	Yuku Community	Yuku Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Patrice	Adieyi	Farmer	Yuku Community	Yuku Village	
Mr	Shora	Mbiyavanga	Farmer	Yuku Community	Yuku Village	
Mr	Joseph Kembela	Lunzayiladio	Secretary	Minkelo Community	Minkelo Village	
Mr	Michel Manson	Mvukani	Chief of Under Post	Minkelo Community	Minkelo Village	
Mr	Antoine	Nsumbu	Junior instructor	Mawete Community	Mawete Village	
Mr	Nzuzi	Maluzapangidi	Driver	Kokolo Community	Kokolo Village	
Mr	Kiese	Mavomua	Housewife	Kokolo Community	Kokolo Village	
Mr	Esai	Mvene	Community Member	Kokolo Community	Kokolo Village	
Mr		Mambote	Farmer	Mbemba Community	Mbemba Village	
Mr		Nsimba	Farmer	Mbemba Community	Mbemba Village	
Mr	Andre	Ndongala	Farmer	Mbemba Community	Mbemba Village	
mrs	Leontine	Kakiesse	Manager	Kimpese Hospital	Kimpese Village	0 243 099 719 4721
Mr	Emile	Bavedila	School Principal	Kimpese Community	Kimpese Village	00 243 815 194 4630
Mr	Daniel	Nlomba	School Principal	ITP Kiunda		Daguy.nlomba@yahoo.fr
Mr	Joseph Kembela	Lunzayiladio	Secretary	Minkielo Community	Minkielo Village	00 243 813 531 873
Mr	Emmanuel	Tutonda	Farmer	Minkelo Community	Minkelo Village	
Mr	Luzieso	Nkenge	Community Member	Minkelo Community	Minkelo Village	
Mr	Nzuzi	Mambueni	Nurse	Minkielo Community	Minkielo Village	243 081 533 996
Mr		Makiese	Farmer	Minkelo Community	Minkelo Village	
Mr	Nzuzi	Lusakueno	Farmer	Minkelo Community	Minkelo Village	
Mr	Marcel	Diagingindu	Driver	Minkelo Community	Minkelo Village	
STAKEHOLDER CATEGORY: MEDIA (Newspapers/ Radio and Television)						
Monsieur	Franck	Fwamba		Mining News Magazine		

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Monsieur	Mattys	Numbi Wa Kasongo		RADIO COMMUNAUTAIRE DU KATANGA		
Monsieur	Charles	Ngoie	Chief Editor	L'Ambassadeur Magazine	Lubumbashi	
Monsieur	Ngoy	Muleya	Directeur	Station SNCC	TENKE	
Monsieur	Fortunat	Shimba	Director	Agency Congolaise de Presse (ACP)	LIKASI	
Monsieur	Jean-Jacques	Luboya	Director	La Verite Hebdo	Lubumbashi	
Monsieur	Serge	Kayembe	Journalist	BBC World	Lubumbashi	
Monsieur	Grégoire	Mwehu	Journalist	Comité des Sages	TENKE	
Monsieur	Jacques Vallon	Kabulo	Journalist	Freelance	Lubumbashi	
Monsieur	Daniel Kabol	Kayomb	Journalist	La Fraternite Journal	Lubumbashi	
Monsieur	Pierre Ngoie	Wembo	Journalist	Libre Débat	Lubumbashi	
Monsieur	Olivier	Mbula	Journalist	Médiacongo Net	Lubumbashi	
Monsieur	Jean-Jacques	Kalonji	Journalist	Mines and Industries Magazine	Lubumbashi	
Monsieur	Alphonse Devos	Mwanza	Journalist	Quiproquo	Lubumbashi	
Monsieur	Kasongo	Budese	Journalist	Radio Communautaire de Fungurume (RCF)	FUNGURUME	
Monsieur	Papa	Matjieu	Journalist	Radio Communautaire de Fungurume (RCF)	FUNGURUME	
Monsieur	Passi	Malisawa	Journalist	Radio Communautaire de Fungurume (RCF)	FUNGURUME	
Monsieur	Mujinga	Mulundu	Journalist	Radio Communautaire de Fungurume (RCF)	Tenke	
Monsieur	Joelle	Mwanza	Journalist	Radio Sifa	FUNGURUME	
Monsieur	Etienne	Mabimbi	Journalist	Radio Sifa	FUNGURUME	
Monsieur	Elie	Kabuye	Journalist	Radio Sifa	FUNGURUME	
Monsieur	Papy	Mbiya	Journalist	Radio TV Oasis	Lubumbashi	
Monsieur	Malale	Kibamba	Journalist	RT Océan	FUNGURUME	
Monsieur	Alain	Mwamba	Journalist	RT Océan	FUNGURUME	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Monsieur	Daymond	Kasongo	Journalist	RT Océan	FUNGURUME	
Monsieur	Dede	Lenge	Journalist	RT Océan	Tenke	
Monsieur	Jacques	Nico	Journalist	RTT	TENKE	
Monsieur	Cedrick	Lehembwe	Journalist	RTT	TENKE	
Monsieur	Jules	Mani	Journalist	Wantanshi News	Lubumbashi	
				RADIO COMMUNAUTAIRE MBANGU		
STAKEHOLDER CATEGORY : MINING AND INDUSTRY						
Monsieur	Ngoie	N'Kulu		KATANGA MINING GROUP	Lubumbashi	
Monsieur	Bira	De Oliveira		KIMIN	Lubumbashi	
Monsieur	Shiraz	Virji	Chairman	CHEMAF	Lubumbashi	
Monsieur	Raphael	Ngoy	Chief Executive	First Quantum Mining	Lubumbashi	
Monsieur	Mike	Parker	Country Manager	First Quantum Mining	Lubumbashi	
Monsieur		Zongwe	Director	GECAMINES	Lubumbashi	
Monsieur	Zac	Mashala	Director	Ruashi Holdings (Pty) Ltd	Lubumbashi	
Monsieur	Arthur	Blain	Exploration Manager DRC	Anglo American	Lubumbashi	
Monsieur	Chetan	Chug	Chief Executive Officer	SOMIKA	Mbanza Ngungu	
STAKEHOLDER CATEGORY: NGOs						
Monsieur	KUSIKA	NZAU CHARLES	Chief Executive	CIVAK	Kinshasa	
Monsieur	Matthias	Buabua	Directeur	Directeur Generale ANAPI	Kinshasa	
Monsieur	Janvier	Mutuga	Directeur Ressources Hydraulique	Ministere de l'energie	Kinshasa	
Monsieur		Bambi	Directeur de Cabinet	ADG/SCTP	Kinshasa	
Monsieur	Ilunga	Kelebwe	Director	Equipe d’Urgence de la Biodiversité (EUB)	Lubumbashi	
Monsieur	Charles	Mbuyi		PROMINES	Kinshasa	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Monsieur	Paul	Mabolia	Coordonnateur National	PROMINES	Kinshasa	
Monsieur	Jorg	Maxin	Country Director	Cooperation Technique Allemande (GTZ)	Kinshasa	
Monsieur	Albert	Yumba	President	Administrateur Délégué Général de la Fédération des Entreprises du Congo	Kinshasa	
Monsieur	Vano	Kiboko	President	Lwanzo Lwa Mikuba	Kinshasa	
Monsieur	Guy	Mbayma		Institut Congolaise pour la Conservation de la Naturé (ICCN)	Kinshasa	
Monsieur	Richard	Tshombe	Director	Wildlife Conservation Society	Kinshasa	
Monsieur	Ben	Mellor	Head of Secretariat	Extractive Industries Transparency Initiative (EITI)	Lubumbashi	
Monsieur	Alexis	Kazemb	President	Association des Agriculteurs Sans Frontières (AASF)	Lubumbashi	
Monsieur	Victor	Bumba	Representative	BDD	Lubumbashi	
Monsieur	Gustave Kafenga	Muyamuna	Charge de l'information	Centre Regional d'Appui et de Formation pour le Developement (CRAFOD)	Kinshasa	00243 81 90 109 09 / guslamu2000@yahoo.fr
STAKEHOLDER CATEGORY : TRADITIONAL AUTHORITIES						
Mr	Muleba	Wa Mulembo	Chief	Traditional Authority	Village Mawete	
Mr	NSIMBA	MALUNGU	chef	Groupement kimpese		
Mr	ZOLA	GEORGES	Notable	Mawete II	Village Mawete	
Mr	LOTY	SALANGA	Notable	Mawete II	Village Mawete	
Mr	NSIMBA	MPAKASA	Notable	Mawete II	Village Mawete	
Mr	KIALANDA	NDOMATESO	Notable	Mawete II	Village Mawete	
Mr	Joseph	Kengono	Chef	Chef de secteur	Luina Village	
Mr	David	Mengono	Chef	Chef Secteur	Kimpese Village	
Mr	Matana	Mampuya	Membre oyant droit	Traditional Authority	Kimpese Village	
Mr	Ngilulu	Metugola	Membre itayant droit	Traditional Authority	Kimpese Village	
Mr	Kanamvangawo	Ndonala	Ajant droit	Traditional Authority	Kimpese Village	
Mr	Lulundadio	Kialunda	Membret	Traditional Authority	Kimpese Village	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Nsololo	Kinsamu	Membret	Traditional Authority	Kimpese Village	
Mr	Diansisi	Kinsamu	Membret	Traditional Authority	Kimpese Village	
Mr	Samuel	Mbiyavanga	Chef	Traditional Authority	Nkondo Kiombia	
Mr	Adophe	Lubikulu Venga	Membret	Traditional Authority	Nkondo Kiombia	
Mr	Pierre	Kiatoko	Chef	Traditional Authority	Mbemba	
Mr	Sebastian	Ndosiba	Chef	Traditional Authority	Mbemba	
Mr	Albert	Simba Toyaku	Chef	Traditional Authority	Nionga	
Mr	Maurice	Dimbenzi	Chef	Traditional Authority	Nionga	
Mr	Philippe	Kuvumusu	Chef	Traditional Authority	Mnikelo	
Mr	Simon	Ndimdulu	Membret	Traditional Authority	Monkelo	
Mr	Luzitanu	Ndongala	Chef	Traditional Authority	Tandu	
Mr	Bamu	Isidia	Membret	Traditional Authority	Tandu	
Mr	Samuel	Toko	Membret	Traditional Authority	Mbemba	
Monsieur	Mado	Katumua	Chef	Traditional Authority	Kokolo	
Monsieur	Lukombo	Nzailu	Chef	Traditional Authority	Mawete II	
Monsieur	Maboke	Nsimba	Membre	Traditional Authority	Mawete II	
Monsieur	Ndomateso	Kialanba	Membre	Traditional Authority	Mawete II	
Madame	Rene	Mawonso Adieyi	Membre	Traditional Authority	Kinsua	
Monsieur	Luyilai	Adieyi	Membre	Traditional Authority	Yukulkiswa	
Monsieur	Mvuezolo	Ndofunsu	Chef de groupement	Traditional Authority	Ngombe Makulukulu	
Monsieur	Nsilulu	Metuzola	Chief of Nkonda Village	Traditional Authority	Nkonda Village	
Monsieur	Muleba	Wa Mulembo	Head of Village	Mawete Community	Mawete Village	
Monsieur	Malungu	Nsimba	Chef de groupement	Traditional Authority	Kimpese	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Mr	Alice	Utidi	Membret	Traditional Authority	Kokolo	
Mr	Mado	Katumua	Farmer	Traditional Authority	Kokolo	
Mr	Lukombo	Nzailu	Chef	Traditional Authority	Mawete II	
Mr	Maboke	Nsimba	Membre	Traditional Authority	Mawete II	
Mr	Ndomateso	Kialanba	Membre	Traditional Authority	Mawete II	
Ms	Rene	Mawonso Adieyi	Membre	Traditional Authority	Kinsua	
Mr	Luyilai	Adieyi	Membre	Traditional Authority	Yukulkiswa	
Mr	Mvuezolo	Ndofunsu	Chef de groupement	Traditional Authority	Ngombe Makulukulu	
Mr	Nsilulu	Metuzola	Chief of Nkonda Village	Traditional Authority	Nkonda Village	
Mr	Muleba	Wa Mulembo	Head of Village	Mawete Community	Mawete Village	
Mr	Malungu	Nsimba	Chef de groupement	Traditional Authority	Kimpese	
STAKEHOLDER CATEGORY : SERVICES AND UTILITIES						
Monsieur	Maurice	Morisho Okenge	Directeur Reseau Ouest	Société nationale d'électricité (SNEL)	Kinshasa	
				REGIDISO (Water Supplier)		
Mr	NZUZI	MAMBUENI	Infirmier principal	Centre de sante de MINKELO	Kinshasa	
STAKEHOLDER CATEGORY : DONOR/FUNDING ORGANISATIONS						
Mr	DIMOSI	ALBERT	Infirmier	Centre de sante de MINKELO		
Dr	KIFINAMENE	ALPHONSE	MEDECIN INSPECTEUR a.i.	Centre de sante de SONGOLOLO		
Madame	Jean-Pierre	Tutusaus		Commission of the European Union	Kinshasa	
Monsieur	Goetz	von Stumpfheldt		Deutsche Gesellschaft für Technische Zusammenarbeit	Kinshasa	
Monsieur	Holger	Grundel	Country Director	Department of International Development UK (DFID)	Kinshasa	
Monsieur	Patrick	de Bouck	DRC Representative	Belgian Development Cooperation	Kinshasa	
Monsieur	Joe	Hirsch	Economic Growth Team Leader	United States Agency for International Development (USAID)	Kinshasa	

Mr/Ms	First Name	Last Name	Position	Company	Address	Contact Details
Monsieur	Lauret	Kapesa	Health and HIV Programme Specialist	United States Agency for International Development (USAID)	Kinshasa	
Madame	Delphin	Tshimena	Mining consultant	World Bank International Finance Corporation (IFC)	Kinshasa	
Monsieur	Stephen	Haykin	Mission Director	United States Agency for International Development (USAID)	Kinshasa	
Monsieur	Raymond	Lumbuanamo	Director	World Wildlife Fund for Nature	Kinshasa	
Madame	Paulin	Besa		SAESSCAM	Kinshasa	
Dr	Paul	Matungulu		USAID/NRM	Kinshasa	
Madame	Marie	Mudibu	Specialist	BGSM/GIZ	Kinshasa	
Madame	Doris	Mukwendele	Specialist	Cooperation German Congolaise pour le Development (GIZ)	Kinshasa	

Annexure F: Notification Letter Public Disclosure English



SRK House
265 Oxford Road
Illovo 2196
P O Box 55291
Northlands 2116
South Africa
T: +27 (0) 11 441 1111
F: +27 (0) 11 880 8086
E: johannesburg@srk.co.za
www.srk.co.za



11 July 2013
463574

Dear Sir/ Madam

Environmental and Social Impact Assessment (ESIA) Update for the Nyumba Ya Akiba SARL Cement Project in Bas-Congo Province, Democratic Republic of Congo (DRC)

- Invitation to comment on the findings of the ESIA update
- Public comment period for Draft ESIA Update Non-Technical Summary (**16 – 31 July 2013**)

SRK Consulting was appointed by Nyumba Ya Akiba (NYA) to undertake an independent update of an ESIA already approved by the DRC Government in 2011, for the development of its Cement Project in the Songololo Territory in the Bas-Congo Province of the DRC.

After the various specialist studies and stakeholder engagement activities to update the ESIA were completed, the key findings and management measures of the ESIA update are presented in an ESIA Non-Technical Summary, which is being made available for public comment.

Availability of Non-Technical Summary

Copies of the Summary together with comment forms, in French, Lingala and Kikongo are available from **Tuesday, 16 July to Wednesday, 31 July 2013** in the following locations, for community members and other stakeholders to view and comment on:

- Local Government Sector office in Mawete (on the N1 national road)
- Nyumba Ya Akiba (NYA) office, 7eme Etage Immeuble Forescom, 16, Avenue Lukusa, Kinshasa – Gombe, R.D. Congo
- Homes of the traditional Chiefs in the Kokolo, Yuku Camp, Nkonda, Minkelo, Mbemba, Kinsua, Mbamba, Mawete and Nkondo-Kiombia Villages
- On the SRK website, www.srk.co.za

You can comment by:

- Completing the comment form available with the Summary, and placing it in the Comment Box provided at the Mawete Local Government Sector office, or at the NYA office in Kinshasa.
- Writing a letter or sending an email by 31 July 2013 to the contact details provided below.

Next steps

After the comment period ends on 31 July 2013, the ESIA Report will be updated, finalised and submitted to the NYA. We encourage you to provide us with comments on the ESIA findings so that they can be incorporated into the Final ESIA Report.

Partners AH Bracken, MJ Braune, JM Brown, CD Dalglish, JR Dixon, DM Duthe, BM Engelsman, R Gardiner, DJD Gibson, GC Howell, WC Joughin, DA Kilian, PR Labrum, DJ Mahlangu, RRW McNeill, HAC Meintjes, JA Middleton, MJ Morris, WA Naismith, GP Nel, VS Reddy, PN Rosewame, PE Schmidt, PJ Shepherd, MJ Sim, VM Simposya, AA Smithen, HFJ Theart, KM Uderstadt, DJ Venter, ML Wertz, MD Wanless, A Wood

Directors AJ Barrett, JR Dixon, PR Labrum, DJ Mahlangu, VS Reddy, PE Schmidt, PJ Shepherd

Associate Partners M Hinsch, JA Lake, B Liber, V Maharaj, SA McDonald, M Ristic, JJ Slabbert, D Visser

Consultants AC Burger, BSC(Hons); IS Cameron-Clarke, PrSciNat, MSc; JAC Cowan, PrSciNat, BSc(Hons); JH de Beer, PrSci Nat, MSc; T Hart, MA, TTHD, GA Jones, PrEng, PhD, TR Stacey, PrEng, DSc; OKH Steffen, PrEng, PhD, PJ Terbrugge, PrSciNat, MSc; DW Warwick, PrSciNat, BSc(Hons)

SRK Consulting (South Africa) (Pty) Ltd

Reg No 1995.012890.07

African Offices:

Cape Town	+ 27 (0) 21 659 3060
Durban	+ 27 (0) 31 279 1200
East London	+ 27 (0) 43 748 6292
Johannesburg	+ 27 (0) 11 441 1111
Kimberley	+ 27 (0) 53 861 5798
Pietermaritzburg	+ 27 (0) 33 345 6311
Port Elizabeth	+ 27 (0) 41 509 4800
Pretoria	+ 27 (0) 12 361 9821
Rustenburg	+ 27 (0) 14 594 1280
Accra	+ 23 (3) 24 485 0928
Harare	+ 263 (4) 49 6182
Lubumbashi	+ 243 (0) 81 999 9775

Group Offices:

Africa
Asia
Australia
Europe
North America
South America



SRK Consulting

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The Non-Technical Summary will however still be available in the abovementioned locations, as a reference document for stakeholders to view, even after the comment period is closed.

We thank you for your involvement in the process and invite you to contact any of the following persons if you wish to comment on the ESIA Non-Technical Summary:

SRK Consulting:

Lubumbashi: Mr Philippe Katuta; Email: pkatuta@srk.co.za; Tel: +243 81 999 9775

South Africa: Mr Vuyo Matshikiza; Email: vmatshikiza@srk.co.za; Tel: +27 11 441 1021

NYA

Kinshasa: Mr Patrick Vandewalle c/o Irene Kassongo; Email: ikassongo@nya-cement.com; Tel: +243 81 769 8491

We look forward to your comments.

Yours faithfully,
SRK Consulting

SRK Consulting - Certified Electronic Signature

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Philippe Katuta

SRK Consulting Congo sprl

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Vassie Maharaj

SRK Consulting (RSA) (Pty) Ltd

Annexure G: NTS & Comment Form English

COMMENT FORM

Please complete this form and return by **Wednesday, 31 July 2013** to SRK or Nyumba Ya Akiba at the details below.

SRK Consulting DRC, Lubumbashi Philippe Katuta SRK Consulting (DRC) Email: pkatuta@srk.co.za Tel: +243 81 999 9775 SRK Consulting, Johannesburg Vuyo Matshikiza vmatshikiza@srk.co.za Tel: +27 11 441 1021	Nyumba Ya Akiba SARL, Kinshasa, DRC Patrick Vandewalle c/o Irene Kassongo Email: ikassongo@nya-cement.com Tel: +243 81 769 8491
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or

Your comments will be included in the Final ESIA Report after the public comment period, and submitted to NYA.

CONTACT DETAILS					
Name					
Position					
Company / Organisation					
Telephone Number		Email Address			
Address					
Town/Village					
Province					
COMMENTS					
<i>Thank you for your contribution to the project.</i>					

Annexure H: Typical ESIA Process

Stakeholder engagement during an environmental authorisation process

Even though NYA is at the ESIA/ EMPP update phase of this environmental authorisation process, further authorisations may be required in future and guidelines for stakeholder engagement during authorisation are provided in this section. The objectives of stakeholder engagement during authorisation, taking into consideration regulatory requirements, are to provide sufficient and accessible information to stakeholders during the various phases of the process.

A typical authorisation process taking into account DRC and international regulatory requirements comprises the following phases, screening (pre-authorisation), scoping, impact assessment and decision-making.

Figure 3-1: Generic stakeholder engagement process for life of project as shown in Figure 2 in the main report illustrates the relationship between stakeholder engagement during an authorisation process and the project phases during life of project. The table below show a generic stakeholder engagement action plan required during an environmental authorisation process.

The objectives of stakeholder engagement activities required for an Equator Principles and Performance Standards compliant ESIA/ EMPP during the various phases of an environmental authorisation process are outlined below.

During the Screening Phase

During screening engagement is focused on gaining an understanding of the potential concerns and issues of key stakeholders. Specifically, to:

- Receive initial information about the proposed project;
- Contribute to the design of the stakeholder engagement process;
- Provide initial comments and responses to the proposed project; and
- Contribute to local information and knowledge.

During the Scoping Phase

The Scoping Phase of the ESIA/ EMPP focuses on preparing a Scoping Report and detailed Terms of Reference (ToR) for the specialist studies to be conducted during the Impact Assessment phase. The objectives of stakeholder engagement during scoping are to provide sufficient and accessible information to stakeholders in an objective manner to assist them to:

- Identify issues of concern and provide suggestions for alternatives and enhanced benefits so as to reflect relevant issues in the ToR for the environmental studies;
- Contribute local knowledge and experience; and
- Verify that their issues and concerns have been captured and considered.

In addition, liaison with stakeholders during the ESIA/ EMPP Scoping Phase also serves the following company external relations objectives:

- Maintaining ongoing engagement of stakeholders;
- Providing information on company plans, policies and forthcoming actions;
- Being informed in a neutral setting of concerns relating to company actions and having the opportunity to respond in a neutrally facilitated situation;
- Building or maintaining understanding and trust, good relations and credibility; and
- Obtaining people's views of their current quality of life and a vision for their future quality of life;
- To inform the company's sustainable development and corporate responsibility initiatives.

During the Impact Assessment Phase

Stakeholder engagement during the impact assessment phase of the ESIA/ EMPP will revolve around a review of the findings of the environmental and social specialist studies, the ESIA/ EMPP reports. Importantly, stakeholders will be given an opportunity to review the Sustainable Development Plan (SDP) and the Sustainable Development Plan (SDP). Stakeholders will be able to verify that their issues were considered in the investigations, and comment on the findings and suggested mitigation measures for reducing negative impacts and enhancing positive ones.

The findings will be presented in a draft ESIA Report, a summary of the draft ESIA/ EMPP Report and an updated version of the Comment and Response Report, in which the responses to issues will be updated to reflect the findings of the ESIA/ EMPP.

The objectives of stakeholder engagement during the Impact Assessment phase of the ESIA and EMP are to:

- Keep stakeholders informed of progress and new information as the ESIA/ EMPP is being developed;
- Provide stakeholders with the opportunity to verify that their issues have been considered in the ESIA/ EMPP; and
- Provide stakeholders with the opportunity to comment on the findings of the ESIA/ EMPP.

During the Decision-making Phase

The main aim of this phase is to inform stakeholders what decision government has taken regarding the project, specifically to

- Inform stakeholders of the outcome of the DRC government's decision on authorisation.

To provide stakeholder with information on how and by when the decision may be appealed.

12.1.1 DRC regulatory framework

Constitution

The Constitution, also known as the Constitution of the Third Republic, was adopted by the government on 18 February 2006. Article 53 states that:

- Every person has a right to a healthy environment which is favorable to his/her full development;
- The environment must be protected; and
- The State must look after the protection of the environment and the health of the people.

Article 123 of the Constitution makes provision for laws to be made concerning, *inter alia*, “the protection of the environment and tourism”. Article 203 allows for co-operative governance by central government and the Provincial administrations “to protect the environment, natural sites and landscapes, and the conservation of such sites”.

National Environmental Action Plan

The DRC formulated its National Environmental Action Plan (NEAP) in 1997, in response to Agenda 21 of the United Nations Conference on the Environment and Development held in Rio de Janeiro in 1992. The main finding was that the system of management of the country's natural resources was deficient and that a legal framework was urgently required.

The major issues identified in the NEAP were:

- Daily destruction of the environment as a result of extreme poverty, population growth and general ignorance about environmental matters;
- Water pollution, together with the absence of national water quality standards;
- Soil degradation in areas with high population densities;
- Air pollution resulting from the agricultural, industrial and energy industries; and
- Urban degradation and unhealthy conditions resulting from a combination of poor planning, the inability of municipal authorities to control the influx of migration to the cities, as well as population growth.

Mining Code

The Mining Code, Law No 007/2002 of 11 July 2002, applies to all commercial activities associated with prospecting, exploitation, processing, transportation and sale of mineral substances, as well as artisanal mining activities. It specifies the need for an Environmental Impact Study (EIS), Mitigation and Rehabilitation Plan (MRP) and an Environmental Management Plan of the Project (EMPP). These are defined in the Mining Code as follows:

- **EIS:** A *priori* scientific analysis of the foreseeable potential effects a given activity will have on the environment, as well as the analysis of the acceptable levels thereof and the mitigating measures to be taken to ensure the conservation of the environment, subject to the best technology available, at a viable economic cost;
- **MRP:** Plan required for the operations relating to a mineral or quarry exploration right or a Temporary Quarry Exploitation License pursuant to which a holder undertakes to carry out

certain mitigation measures of the impact of his activities on the environment, as well as rehabilitation measures where said activities take place, including the holder's undertaking to provide a financial guarantee to cover or guarantee the mitigation and rehabilitation costs of the environment; and

- **EMPP:** Environmental specifications of the project consisting of a program for the implementation and monitoring of measures contained in the EIS in order to eliminate, reduce and possibly offset the damaging consequences.

According to the Mining Code (Title III: Mineral and Mining Rights; Chapter II: Mining Exploitation; Article 69: The preparation of the application for the Exploitation License) the following documents need to accompany an application for an Exploitation License:

- A copy of the valid Exploitation Certificate;
- A report on the outcomes of the exploration work, with regard to the nature, quality, volume and geographical situation of the mineral resources identified;
- The feasibility study for the exploitation of the deposit;
- The technical framework plan for the development, construction and exploitation work for the mine;
- A copy of the EIS and EMMP for the proposed project;
- A report on the consultations with the authorities of the local administrative entities and with the representatives of the surrounding communities;
- A plan as to how the project will contribute to the development of the surrounding communities;
- A financing plan identifying the planned sources of financing; and
- Proof of payment of the filing costs.

The Mining Code also has sections dedicated to the protection of the environment and cultural heritage during prospecting, exploration and exploitation as well measures for the protection of health and safety and public consultation. (Title VIII: Obligations of the Holders of Mining or Quarry Rights; Chapter II: Obligations relating to the activities relating to Mining or Quarry Titles; Articles 202 to 218). Moreover, the Mining Code also specifies restrictions on the occupation of land for mining activities/infrastructure (for example no person may occupy land containing archaeological remains or a national monument), liability for damages caused by the mining activities (even if they are authorized) and that fair compensation be paid to the rightful holders (corresponding either to the rent or the value of the land at the time of its occupation, plus 50%) for economic and physical displacement (Title XI: Relations Between the Holders of Mining Rights and/or Quarry Rights Themselves and with the Occupants of the Land; Chapter II: Holders' Relations with the Occupants of the Land; Articles 279 to 282).

Mining Regulations

The Mining Code is supported by the Mining Regulations, Decree No 038/2003 of 26 March 2003, Schedules/Annexes and Addenda to the Mining Regulations, which implement the provisions of the Code including the environmental and social obligations relating to mining projects. Articles 450 to 457 of the Mining Regulations set out the scope and objectives as well as the requirements for EIS and EMPP reports. Articles 451, 225 and 478 to 480 lay down the purpose of and guidelines for public consultation.

The Regulations contain a number of Schedules/Annexes; those which relate specifically to the

environment are:

- Schedule II: Financial surety for rehabilitation.
- Schedule III: Environmental Code of Conduct for Prospectors.
- Schedule V: Conduct Code for Artisanal Miners.
- Schedule VII: MRP.
- Schedule VIII: Guidelines for preparing an MRP.
- Schedule IX: Guidelines for preparing an EIS and EMPP.
- Schedule X : Closure measures.
- Schedule XI: Classification of mine waste/tailings and their properties.
- Schedule XII: Sensitive environments.
- Schedule XIII: Method for the measurement of noise.
- Schedule XIV: Structural stability of mine waste storage sites.

Environmental permits and licenses

Exploration and Exploitation permits are necessary for mining activities which are required to be compliant with environmental protection regulations. PDC currently holds an Exploration License for the proposed project and now wishes to obtain an Exploitation License. In order for an Exploitation License to be granted, the proposed project will require the compilation, submission and approval of an EIS that includes an EMPP (Article 204 of the Mining Code). The steps involved in obtaining approval for the environmental assessment, include:

- Developing the scope and terms of reference for the assessment in consultation with the DPEM (i.e. this report). While this is not a mandatory component of the study process, the opportunity exists for the applicant for an exploitation right to request clarification on the scope of the study and to enter into a memorandum of understanding in respect of the scope;
- Consulting with the public during the preparation of the EIS and EMPP. The applicant is required to prepare a plan to consult with communities at the beginning of the EIS and submit this to both the DPEM and local communities. The applicant must further disclose the mining work program, the negative and positive impacts arising from the project, and the mitigation and rehabilitation measures. The consultation process needs to also capture reactions, questions and concerns;
- Submitting the EIS and EMPP to the *Mines Registry (Cadastre Minier)*, which is then subject to review by an inter-ministerial committee (Permanent Evaluation/Assessment Committee) chaired by the Director of the DPEM; and
- Obtaining a decision from the DPEM.

It is understood from specialists on DRC legislation that the EIS and EMPP will cover all aspects of permitting such as waste disposal, river diversion, water use, emissions, and effluent discharge.

Framework Law on the Environment

In recognition of Article 123 (point 15) of the Constitution, the DRC government has promulgated the Framework Law on the Environment (Act No.11/009 of 9 July 2011). The Act aims to:

- Define the broad guidelines in terms of the protection of the environment;

- Direct the management of the immense potential held by the Republic in the form of natural resources, with a view to SD benefitting people;
- Reduce risks and combat all forms of pollution and nuisances; and
- Serve as a basis for specific legislation governing the conduct of sectors which, while distinct from the environment, have an undeniable direct or indirect impact.

The Framework Law on the Environment lays down the general principles which serve as a basis for the specific laws for governing the different sectors of the environment. The Act specifies the requirement for an Environmental and Social Impact Assessment (ESIA), an environmental audit, an environmental assessment of policies, plans and programs, the creation of an institutional framework, an Intervention Fund for the Environment, as well as the strengthening of penal provisions.

The Framework Law on the Environment comprises nine chapters as follows:

- Chapter 1: General provisions;
- Chapter 2: Institutional framework;
- Chapter 3: Procedural mechanisms;
- Chapter 4: Funding mechanisms;
- Chapter 5: Management and Conservation of natural resources;
- Chapter 6: Reducing risk and combatting pollution and nuisances;
- Chapter 7: Civil liability;
- Chapter 8: Offences and penalties; and
- Chapter 9: Temporary, final and repealing provisions.

Chapter 3 (Section 2) of the Framework Law on the Environment deals with Environmental and Social Impact Assessments (ESIAs). It requires in section 21 that projects which may have an impact on the environment including industrial, commercial, agricultural, forestry and mining developments should submit an EIS, accompanied by an EMPP. It is intended that those activities requiring an environmental impact study will be listed in a Decree, which will also stipulate the required contents of the environmental impact assessment report, the terms of its approval and the public consultation procedure.

Article 23 requires audits to be carried out on any project or activity presenting a potential risk to the environment and communities, while Article 24 states the need for public involvement. Moreover, Chapter 5 (Articles 28 to 35) stipulates the conservation and sustainable management of ecosystems, natural resources and sites and monuments located on national territory as well as the need to develop and implement the sustainable management plans, programs and measures.

Other environmental legislation

In addition to the above legislation, there are numerous laws relating to environmental management in the DRC as listed in Table 13 but not limited thereto.

Table 13: Key DRC environmental legislation

Aspect	Agreement/convention
General environment.	- National Environmental Action Plan (NEAP), 1997. - Arrêté Ministériel No 043 of 8 December 2006 and No 8 of 3 April 2007. - Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Ordinance No 07/018 of 16 May 2007. - Code Foncier (1973, amended in 1980).
Mining.	- Mining Code (Law No 007/2002 of 11 July 2002). - Mining Regulations (Decree No 038/2003 of 26 March 2003).
Soils and land use.	- Article 28 (Topography, Geology and Land Use) from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Article 75 (Dead Ground Management) of Chapter V of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Code Foncier (1973, amended in 1980).
Water.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Decree of May 6, 1952 on water. - Ordinance 52-443 of 21 December 1952. - Regulation on lake and Watercourse contamination and pollution of 1 July, 1914. - Article 30 to 33 from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Articles 53 to 74 of Schedule IX of the Mining Regulations, Decree no. 038/ 003 of 26 March 2003. - Code Foncier (1973, amended in 1980).
Climate and air quality.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Article 29 (Climate and Air Quality) of schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Articles 49 to 52 of Schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003.
Biodiversity and protected areas.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Forest Code (Law 011 2002 of 28 May 2002). - Nature Conservation Law (Regulation no 69-041) of 22 August 1969. - Regulation 79-244 of 16 October 1997 Amended 1995 and 1996). - Law no 75-023 of 22 July 1975 and Regulation no 78-190 of 5 May 1978. - Ministerial decree no 55 of 7 December 2006. - Articles 34 to 37 (Biological Environment) of Schedule IX of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Schedule XII of the Mining Regulations, Decree no. 038/2003 of 26 March 2003. - Code Foncier (1973, amended in 1980).
Noise and vibrations.	- Schedule XIII of the Mining regulations, Articles 1 to 6. - Articles 46 to 48 from Chapter II of Schedule IX, Mining Regulations, Decree no. 038/2003 of 26 March 2003.
Cultural heritage.	- Framework Law on the Environment (Act No. 11/009 of the 9 July 2011). - Ordinance 70-089 of 11 March 1970. - Ordinance 71-016 of 15 March 1971. - Article 46 of the Constitution of the DRC of 18 February 2006. - Articles 205 and 206 of the Mining Code and Regulations.
Resettlement.	Code Foncier Immobilier et Regime Des Suretés, 5 April 2006.
Waste management.	Framework Law on the Environment (Act No. 11/009 of the 9 July 2011).
Hunting	Hunting law (Act No 82/002 of the 1 June 1982)

12.1.2

Roles and responsibilities

President of the DRC

The President has jurisdiction over the classification of 'prohibited areas' which include, amongst others, sensitive environments.

Minister of Mines

The Minister of Mines has the ultimate jurisdiction over the granting and refusing of mining rights.

Directorate of Mines

The Directorate of Mines is responsible for inspecting and supervising mining activities and quarry works with regard to safety, health, work procedures, production, transport, sale and social matters.

Directorate Responsible for the Protection of the Mining Environment (DPEM)

The DPEM, within the Ministry of Mines, is responsible for all aspects relating to the protection of the environment for mining related activities. This Directorate is responsible for the implementation of and compliance with the relevant regulations contained within the Mining Code and Regulations by new mining developments in the DRC (Article 15, Mining Code 2002).

The Permanent Assessment Committee, consisting of 14 members is, chaired by the Director of the DPEM. The Committee exists to review EIS and EMPPs and has a maximum of 180 working days within which to conclude its review of the EIS and EMPP. It is required to deliver its recommendation to the *Mines Registry*.

International agreements and conventions

The DRC is signatory to a number of international agreements and conventions relating to environmental management. They set the context within which the DRC regulatory regime operates, and may therefore indirectly affect the proposed project. The key agreements are summarized in Table 14 below.

Table 14: Key international agreements

Aspect	Agreement/convention
Climate change/air quality.	- United Nations Framework Convention on Climate Change (UNFCCC), 1994. - Kyoto Protocol, 1997. - Vienna Convention for the Protection of the Ozone Layer, 1985. - Montreal Protocol on Substances that Deplete the Ozone Layer, 1989.
Biodiversity and protected areas.	- Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar/Wetlands Convention), 1971. - Convention on the International Trade of Endangered Species of Wild Fauna and Flora (CITES), 1973. - United Nations Convention on Biological Diversity, 1992 (UNCBD). - Cartagena Protocol on Biosafety (CPB). - United Nations Convention to Combat Desertification, 1994 (UNCCD). - Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. - Rotterdam Convention on the Prior Informed Consent Procedure on Certain Hazardous Chemicals and Pesticides in International Trade (1998).

	• Stockholm Convention on Persistent Organic Pollutants. • United Nations Forum on Forests (UNFF). • Treaty on Central African Forests Commission, 2004. • Algiers Convention. • Bonn Convention on Migratory Species.
Cultural heritage.	• United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970. • UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972 (World Heritage Convention).
Human rights.	• International Convention on the Prevention and Punishment of the Crime of Genocide. • International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). • International Covenant on Civil and Political Rights. • International Covenant on Economic, Social and Cultural Rights. • International Convention on the Elimination of All Forms of Discrimination Against Women. • Convention on the Rights of the Child.
Labor health and safety.	• Elimination of all forms of forced and compulsory labor – Convention 29 and 105. • Elimination of discrimination in respect of employment and occupation – Convention 100 and 111. • Effective Abolition of Child Labor – Convention 138 and 182.

12.1.3

STAKEHOLDER ENGAGEMENT PLAN (Generic process for environmental authorisation)		
Screening Phase		
The objectives of stakeholder engagement during this environmental authorisation, taking into consideration regulatory requirements and good practice guidelines are to provide sufficient and accessible information to stakeholders to:		
During the Screening Phase		
- Receive initial information about the proposed project - Contribute to the design of the stakeholder engagement process - Provide initial comments and responses to the proposed project - Contribute local information and knowledge		
Task	Activity	Timeline
Pre-consultation with Regulatory Authorities	Arrange pre-consultation meetings with competent and commenting authorities	
Preparation for pre-consultation with key stakeholders	Compile information document focusing on key messages, history of project, process of stakeholder involvement, contact details of team	
Pre-consultation with key stakeholders	Conduct pre-consultation meetings with key stakeholders such and landowners and conducting small focus group meetings	
Feedback into project process	- Continuously provide feedback to project team on stakeholder issues and concerns to ensure that the design of engagement and process is in alignment to context - Deterproject the level and intensity of stakeholder engagement required during the scoping phase	
Comment and Response Report	- Records all issues, comments and suggestions received in writing and raised during all meetings and open days - This report forms a part of the Environmental and Social Impact Assessment (ESIA) Report	
Stakeholder engagement report	- Documents the stakeholder engagement process throughout the phases of the authorisation process. - This report forms part of the overall ESIA	
Scoping Phase		
The objectives of stakeholder engagement during this environmental authorisation, taking into consideration regulatory requirements and good practice guidelines are to provide sufficient and accessible information to stakeholders to:		
During the Scoping Phase		
- Raise issues of concern and suggestions for enhanced benefits - Verify that their issues have been recorded - Assist in identifying reasonable alternative - Contribute relevant local information and traditional knowledge to the environmental assessment		
Task	Activity	Timeline
Announcement of the project	- Distribute announcement letter, I&AP Registration and comment sheet and Background Information Document (BID) - Compile and distribute above documentation by email to all initial stakeholders on the database in local languages - Place advertisements in local newspapers to announce the project and inform stakeholder of where to obtain information on the project. Provides detail of information sharing meetings - Information such as the invitation letter and BID should be made available in public places such as the local library, shopping centres etc. - Place site notices in public places - Make information available on NYA project's website - Develop visual material such as posters, in local languages, based on the BID, for presentation at - Make arrangement for information sharing meetings such as an open day in the project area	
	Conduct a dry run meeting with project team members who will attend the information sharing meetings. The objectives of a dry run meeting is as follows: - To prepare project team members for meetings - To ensure that presentations are understandable and convey clear messages in a consistent way - To provide guidance to the team in dealing with angry and/or emotional stakeholders and - To ensure that issues raised to date are integrated and reflected in presentations	
	Convene information sharing meetings to present the announcement information to stakeholders and provide them with an opportunity to raise issues and concerns	
	Prepare Comment and Response Report (CRR)	
Feedback on Scoping	Prepare Stakeholder Engagement Report (SER) which documents the stakeholder engagement process followed during the scoping phase	
	Plan for public review of Draft and Final Scoping Report. These reports to be available in public places and meetings can be held to discuss the results of these reports. Public comment should be included in this report for submission to the authority.	

Impact Assessment Phase		
The objectives of stakeholder engagement during this environmental authorisation, taking into consideration regulatory requirements and good practice guidelines are to provide sufficient and accessible information to stakeholders to:		
During the Impact Assessment Phase		
- Contribute relevant information and local and traditional knowledge to the environmental assessment - Verify that their issues have been considered in the environmental investigations - Comment on the findings of the environmental assessments.		
Task	Activity	Timeline
Announcement of the availability of the Draft EIA Report	Distribute a letter of notification of the availability of the draft ESIA in public places. Place an advertisement inviting stakeholders to information sharing meetings where stakeholders can comment on the report.	
Announcement of the availability of the Final EIA Report	Notify stakeholders of the availability of the Final ESIA report. The report should be made available on a website or CD copies, and in public places. After the comment period, additional comments received can be added as an addendum.	
End of the impact assessment	Send stakeholders of progress feedback letter to inform them of submission of the final ESIA Report to the competent and commenting authority	
Decision-making Phase		
The objectives of stakeholder engagement during this environmental authorisation, taking into consideration regulatory requirements and good practice guidelines are to provide sufficient and accessible information to stakeholders to:		
During the Decision-making Phase		
Receive information on the outcome of the authority decision, and how and by when the decision can be appealed.		
Task	Activity	Timeline
Notification of authorities’ decision and appeals procedure	Send letter to stakeholders to notify them of the authorities’ decision regarding the environmental authorisation of the proposed project, thanking them for their contributions and explaining the appeals procedure.	Relevant DRC legislation

Annexure I: SEP monitoring and evaluation indicators – IFC Guidance notes

IFC Indicators and Validation Methods for Informed Consultation and Participation Process

Material Consideration	Examples of Validation Methods
1. Company Strategy, Policy, or Principles of Engagement Strategy, policy, or principles for on-going stakeholder engagement with explicit mention of Affected Communities and relevant standards.	Client's strategy, policy or principles or other supporting documents.
2. Stakeholder Identification and Analysis As part of the environmental and social assessment process, identification of all Affected Communities, their disaggregation (numbers, locations) in terms of different levels of vulnerability to adverse project impacts and risks, and an analysis of the effect of adverse project impacts and risks on each group. As part of the environmental and social assessment process, this analysis should also look at communities and individuals that will benefit from the project.	Stakeholder analysis document as part of SEIA or SEA. Client's planning documentation for stakeholder's engagement, e.g., communications strategy, consultation plan, Public Consultation and Disclosure Plans, and stakeholder engagement plan.
3. Stakeholders Engagement A process of consultation that is ongoing during the project planning process (including the process of environmental and social assessment), such that: (i) Affected Communities have been engaged in: (a) identifying potential impacts and risks; (b) assessing the consequences of these impacts and risks for their lives; and (c) providing input into the proposed mitigation measures, the sharing of development benefits and opportunities and implementation issues; and that (ii) new impacts and risks that have come to light during the planning and assessment process have also been consulted upon.	Client's schedule and record of stakeholder engagement. Client's record of discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of sub-groups (e.g., women, minorities).
4. Information Disclosure Timely disclosure by the client of project information by the client to Affected Communities about (i) the purpose, nature, and scale of the project; (ii) the duration of proposed project activities; (iii) any risks to and potential impacts on such communities and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievance mechanism. Disclosure should be in a form that is understandable and meaningful.	Client's materials prepared for disclosure and consultation. Client's record of discussions with recognized stakeholder's representatives; respected key informants; and legitimate representatives of sub-groups.
5. Consultation a) Free Evidence from the Affected Communities that the client or its representatives have not coerced, intimidated or unduly incentivized the affected population to be supportive of the project.	Client's record of discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of subgroups.

Material Consideration	Examples of Validation Methods
b) Prior Consultation with Affected Communities must be sufficiently early in the project planning process (i) to allow time for project information to be interpreted and comments and recommendations formulated and discussed; (ii) for the consultation to have a meaningful influence on the broad project design options (e.g., siting, location, routing, sequencing, and scheduling); (iii) for the consultation to have a meaningful influence on the choice and design of mitigation measures, the sharing of development benefits and opportunities, and project implementation.	Client's record of discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of subgroups.
c) Informed Consultation with Affected Communities on project operations and potential adverse impacts and risks, based on adequate and relevant disclosure of project information, and using methods of communication that are inclusive (i.e., accommodating various levels of vulnerability), culturally appropriate, and adapted to the communities' language needs and decision-making, such that members of these communities fully understand how the project will affect their lives.	Client's record of discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of sub-groups.
6. Informed Participation Evidence of the client's organized and iterative consultation, leading to the client's specific decisions to incorporate the views of the Affected Communities on matters that affect them directly, such as the avoidance or minimization of project impacts, proposed mitigation measures, the sharing of project benefits and opportunities, and implementation issues.	Client's schedule and record of stakeholder engagement. The client's documentation of measures taken to avoid or minimize risks to and adverse impacts on Affected Communities in response to stakeholders' feedback received during consultation. Drafts of relevant Action Plans.
7. Vulnerable Groups – Consultation and Mitigation Evidence that individuals or groups particularly vulnerable to adverse project impacts and risks have been party to effective free, prior, and informed consultation as well as informed participation, and evidence that the potential impacts and specific or exacerbated risks to them will be mitigated to the satisfaction of these parties.	Stakeholder analysis as part of SEIA or SEA or Socio-economic baseline data. Client's record of stakeholder engagement, including record of discussions with legitimate representatives of vulnerable groups. Client's documentation of measures taken to avoid or minimize risks to and adverse impacts on vulnerable groups in response to feedback received during consultation. Drafts of relevant Action Plans.
8. Grievance Mechanism – Structure, Procedure, and Application An effective grievance mechanism procedure that is fully functioning (i) throughout the process of environmental and social assessment; and (ii) that is suitable for the operational phase of the project to receive and address the Affected Communities' concerns about the client's environmental and social performance. The mechanism should be culturally appropriate, readily accessible to all segments of the Affected Communities, and available to Affected Communities at no cost and without retribution.	Client's organizational structure and responsibilities, and procedures for managing grievances. Client's record of grievances received about the project and addressed, including expressions in support or dissent. Client's record of discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of subgroups.

Material Consideration	Examples of Validation Methods
9. Feedback to Affected Communities Documentation that the client provided the results of consultation to the Affected Communities, and either (i) demonstrated how the comments and recommendations made by the Affected Communities have been accommodated in the project design, mitigation measures, and/or sharing of development benefits and opportunities; or (ii) provided a rationale why these comments and recommendations have not been accommodated.	Client's record of stakeholder engagement. Client's documentation of measures taken to avoid or minimize risks to and adverse impacts on Affected Communities. Discussions with recognized stakeholder representatives, respected key informants, and legitimate representatives of subgroups. Client's ongoing reporting on implementation of relevant Action Plans. Revised management program or Action Plans.