



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

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Reference: 6/2/2/6

### MINISTER OF WATER AND SANITATION


### NATIONAL ASSEMBLY: QUESTION 1222 FOR WRITTEN REPLY

A draft reply to the above mentioned question asked by Ms Mohlala (EFF) is attached for your consideration.

DRAFT REPLY: RECOMMENDED/ NOT RECOMMENDED/ AMENDED

  
MS DEBORAH MOCHOTLHI  
ACTING DIRECTOR-GENERAL  
DATE: 20/08/2021

DRAFT REPLY: APPROVED/ NOT APPROVED/ AMENDED

  
MR SENZO MCHUNU, MP  
MINISTER OF WATER AND SANITATION  
DATE: 06/09/2021

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION NO 1222**

**(INTERNAL QUESTION PAPER NO.13)**

**1222. Mrs M R Mohlala (EFF) to ask the Minister of Water and Sanitation:**

In view of the fact that a number of Lesotho citizens were uprooted from their land during Phase 1 of the Lesotho Highlands Water Project, what steps has she taken to ensure that (a) compensation is paid to the specified persons and (b) there will be no further disenfranchisement of the citizens of Lesotho as a result of the specified project?

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**THE MINISTER OF WATER AND SANITATION**

All persons affected by the project were either relocated, resettled and/or had their assets compensated in accordance with the Lesotho Highlands Water Project (LHWP) Compensation Policy as well as the Treaty between the Republic of South Africa and Lesotho. Compensation was paid to the affected persons by adopting the following measures:

- (i) The LHWP's legal obligations to the people and communities affected by Project works are based on: The Lesotho Constitution, the LHWP Treaty - Article 7, the LHDA Order of 1986 and the LHWP Compensation Regulations, Legal Notice No. 50 of 1990, and specifically for the implementation of Phase II, the Phase II Agreement – Article 15.
- (ii) The LHWP Compensation Policy covers compensation for: Loss of assets, Uprootment (including resettlement), Income Restoration, Rural Development, Natural Environment and Heritage and in addition the implementation of Public Health plans with Lesotho.

The implementation and the execution of the Compensation Policy is also regularly monitored by an Independent Panel of Experts.

Complaints relating to compensation, relocation and resettlement issues are dealt with through various Lesotho Highlands Development Agency (LHDA) field officers, the Social Development and Environment Division, and the Public Relations Office. All queries that arise are dealt with by the LHDA on a case-by-case basis and captured on a database. Complainants also have access to the Compensation Ombudsman.

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