

Involuntary Resettlement Due Diligence Report

July 2015

Proposed Grant

Samoa: Submarine Cable Project

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Proposed Grant Samoa: Samoa Submarine Cable Project
DUE DILIGENCE REPORT ON INVOLUNTARY RESETTLEMENT-
Fagali'i and Tuasivi Villages, Samoa
8 June 2015

I. Introduction

1. This due diligence report (DDR) on involuntary resettlement describes:
 - Brief project background;
 - Component activities;
 - Current status of land ownership or use; and
 - Identification of land requirement for sub-project components and potential issues.

II. Background and Objectives

2. The Government of the Independent State of Samoa (the government) has requested the Asian Development Bank (ADB) and the World Bank (WB) to support market development and core infrastructure investments aimed at improving access to information and communications technology (ICT). A key component of this support is the planned investment in a submarine cable system (SCS) to connect Samoa to regional/global communications infrastructure.
3. The objective of the Samoa Submarine Cable Project (the Project) is to reduce the cost and increase the availability of ICT services to support social and economic development in Samoa. The Project is expected to contribute to improved public service delivery (including online government services, health and education, and financial services); increased private sector development opportunities, and reduced transaction costs for businesses and individuals; regional integration objectives of improved service delivery, trade and communications between Pacific island economies; and more efficient use of revenues within the region.
4. The Project involves placement of a submarine fiber optic cable link to meet forecast bandwidth demand. The basic infrastructure components will comprise landing facilities and cable stations at either end of the route, with a fiber optic cable (incorporating repeaters) laid on or beneath the sea floor.
5. As part of this broad-based electronic connectivity Project, ADB is providing a technical assistance under TA-8540 REG to conduct the environmental and social safeguards studies for the proposed submarine cable system that connects Fiji to Samoa with two landing spurs and sites on Samoa; one at Fagalii on Upolu and the other at Tuasivi on Savaii..

6. The following are the two project outputs:
 - (i) submarine cable system connecting Samoa to the international internet in Suva, Fiji (1,300 km); and
 - (ii) technical assistance for sector regulation and regulatory capacity development.

III. Component Activities

7. Following are activities under each project outputs¹:

7.1 Establishment and efficient operation of a Submarine Cable System by the Samoa Submarine Cable Corporation

8. Activities under this output will include: (i) awarding of contracts by December 2015 (ii) completion of oceanographic terrain mapping and alignment selection and complete marine operations including cable placement in the deep sea, by the end of 2016 (iii) Terminal equipment installed by April 2017 (iv) Cable landing systems equipped with necessary cross-connected facilities for their customers by April 2017 (v) Train the cable company staff on landing facility operation and maintenance and update skills and knowledge periodically by April 2017 (vi) Appropriate cable repair and maintenance agreement for domestic cables is in place before completion of cable lay, by June 2017 (vii) Commissioning, provisional acceptance, and ready for service by August 2017 (viii) Final acceptance by September 2017 and (ix) Continue regular monitoring and supervision until December 2017.

7.2 Improved legal and regulatory environment for ICT

8. Activities here will include: (i) Review and develop effective regulation for the sector with a particular focus on wholesale markets by March 2016 (ii) Establish wholesale tariffs including price and non-price terms for access to all international fiber optic bandwidth services in Samoa by June 2016 (iii) Carry out a nationwide consumer survey to understand the benefits of ICT by September 2016 (iv) Procure technical equipment required to administer effective monitoring by March 2016 and (v) Capacity development for the Office of the Regulator (OoTR) staff by December 2016.

IV. Land Status and Requirement for Project Components and Potential Issues

A. Landing Site and Cable Station in Fagali'i Village

9. **Cable landing site.** The fiber optic cable landing site in Fagali'i, Upolu does not require acquisition of private land nor entails displacement of people, food gardens and physical structures. The landing site has an existing beach manhole (BMH) which is to be used to house the cable as it reaches land. The BMH is currently being used by the first fiber optic cable in Samoa, the American Samoa and Hawaii (ASH) cable. The landing site is on government-

¹ Design and Monitoring Framework, ADB Concept Paper, 17 March 2015

owned land, currently leased to the Suafai family for 20 years from 2000 to 2020 by the Government of Samoa. The Family proceeded to reclaim a considerable amount of the existing streambank area, filling in a wetland and reducing the shortline erosion at their own cost. The lease agreement is recorded at the Lands Management Division of the Ministry of Natural Resources and Environment (MNRE).

10 The family then entered into a “handshake” agreement between SamoaTel (now Bluesky Samoa)² to allow SamoaTel to use the land in return for the lease and annual maintenance and security charge of WST 10,000 per year. The payment is made on an annual basis (month of May). When Blue Sky took over Samoa Tel, in 2007 the payments were simply transferred to Blue Sky. During the IEE/ESIA public consultation on 25 May 2015, the Suafai Family reported The payments had not been made since 2013. Currently, a payment of WST 23,000.00 was paid by Bluesky on 22nd May 2015 to the family, covering sublease payments for 2013-2014 and 2014-2015. This payment reflects the total owing based on the original handshake agreement. The increase of WST 5,000 yearly now being requested by the family, is still being discussed by Bluesky counsel and the Family counsel and a meeting was set on the first week of June 2015 (MCIT CEO). The next annual payment is in May 2016. Further, MCIT and MNRE are arranging with the Samoa Lands Board to convert the ‘handshake agreement’ to a written agreement.

11 **Cable station.** The proposed site is on a government-owned vacant site (*ref Lot 685, Plan 3184*) thus does not require acquisition of customary or private land nor entail displacement of people, food gardens and physical structures. The land is owned by the Samoa Land Corporation, one of the three agencies responsible for managing government lands in the country. A title search from the MNRE land management system, identified the land as “freehold, under lot 685, and owned by the Government of Samoa”. The Senior Registry Officer of MNRE also issued a computer folio certificate to the Consultants regarding the landownership status of the proposed sites. The government, through MCIT, has started internal discussions with Samoa Land Corporation to reconfirm that the land for the proposed cable station inside the golf course (approximately 1,000 sq m) is reserved for the cable station.

12 **Landside Route.** From the BMH, the cable will be buried in a trench inside the existing East Coast Highway Right of Way, then turn onto a secondary narrow public road branching to the South (to the right) before turning East onto the golf course road (*ref Plan No. 4203*). However instead of burying the cable along the golf course road, the cable will be buried inside the golf course fence next to the current unsurveyed road, since the golf course road is not a registered public land (no survey plan as per MNRE Lands Division records). The cable then will be brought to a site to the right just inside the golf course entrance, where the proposed new cable station will be built..

B. New Landing Site and Cable Station in Tuasivi Village, Savai’i

13 **Cable landing site.** The proposed landing site in Tuasivi will be on the beach behind the government hospital, then into a new BMH just inside the hospital compound. At the community/public consultation held in Tuasivi on 24 March 2015 and attended by the two affected villages of Tuasivi and Sofoaga, , their village chiefs (Matais) confirmed that the proposed location for the cable landing site, cable station and cable route are on government land. *An important output of this community consultation was the clarification by the village*

² Source: Interviews with Ministry of Natural Resources and Environment, Assistant CEO, Lands Division, April and May 2015

chiefs of the boundary between government and customary land, to ensure the cable is not encroaching on their village land.

14 **Landside Route and Cable station.** From the BMH the cable will be brought in a trench within the road RoW to the existing Blue Sky cable station. The project will utilize part of the electronics ‘rack’ in the existing Blue Sky cable station located behind the Tuasivi Post office.. Therefore, the new cable station will be within the existing Blue Sky Cable Station.

15 Table 1 below provides a description of sub-project component and land status from the title search at the Lands Management Division, MNRE.

Table 1. Indicative Development Schedule and Land Ownership Status Along Cable Route

Project Components	Component Activities	Current Status of Land Ownership or Use	Need for Additional Land and/or Potential Issues
1. Establishment and efficient operation of a Samoa Fiber Optic Cable by the Samoa Submarine Cable Corporation (SSCC)	i. Contracts awarded by December 2015	A. Fagali’l, Upolu	
	ii. Carry out marine survey and complete marine operations for laying cables by Dec.2016	1. Land Status:	
	iii. Terminal equipment installed by end of April 2017 iv. Cable landing systems equipped with necessary cross-connected facilities for their customers by April 2017 v. Train the cable company staff on landing facility operation and maintenance and update skills and knowledge periodically by April 2017 vi. Appropriate cable repair and maintenance agreement for domestic cables is in place before completion of cable	(i) Cable landing site	<p>No land acquisition required being government land. The previous unpaid original annual fee of WST 10,000 by Bluesky has now been resolved on 22 May 2015, where Bluesky has paid the total original amount owing WST 23,000. However, the additional WST5,000 annual fee that the family has asked from Bluesky is still pending negotiations between the counsels of both parties.</p> <p>An Action Plan, with inputs from MCIT, MNRE and the Suafai Family Counsel, outlining key steps on how to resolve the issue is attached in <i>Annex 1</i>.</p> <p>In addition, a letter of assurance, signed by the Minister of MCIT, addressed to ADB is attached in <i>Annex 1.1</i>.</p> <p>In addition, MCIT has confirmed that the new SSCC</p>

Project Components	Component Activities	Current Status of Land Ownership or Use	Need for Additional Land and/or Potential Issues
	vii. lay, by June 2017 Commissioning, provisional acceptance, and ready for service by August 2017 viii. Final acceptance by September 201 and ix. Continue regular monitoring and supervision until December 2017.		will have a co-location agreement with Bluesky. Draft procedures will be submitted to ADB by MCIT in June 2015, after the resolution of the unpaid lease claim.
		(ii) Cable station	No land acquisition is required being government land. The site also has an existing access road (next to the golf course entrance) thus do not require land to access the site during construction and maintenance.
		(iii) Cable route	No land acquisition required.
2. Land Ownership:			
		(i) Cable landing site	Government-owned land. <i>(Copy of lease agreement for the beach manhole site between government and lessee family is with MNRE. There is no formal sublease agreement between Bluesky Samoa and the Suafai Family; only a handshake agreement. A formal request has been submitted by the counsel of the Suafai Family with the Lands Board through MNRE. A meeting of the Lands Board is set on mid-June 2015 to discuss the request.</i>
		(ii) Cable station	Government-owned land. <i>(Copy of land title and certificate of ownership provided by Lands Management Division - MNRE to IEE/ESIA Team)</i>
		(iii) Cable route	Government-owned. The cable will be laid along the golf course fence next to the current unsurveyed public road, to remove risk to the project.

Project Components	Component Activities	Current Status of Land Ownership or Use	Need for Additional Land and/or Potential Issues
1. Establishment and efficient operation of a SCS by the SSCC (continued)	i. Contracts awarded by December 2015	B. Tuasivi, Savai'i	
	ii. Carry out marine survey and complete marine operations for laying cables by Dec.2016		
	iii. Terminal equipment installed by end of April 2017	1. Land Status:	
	iv. Cable landing systems equipped with necessary cross-connected facilities for their customers by April 2017		(i) Cable landing site
	v. Train the cable company staff on landing facility operation and maintenance and update skills and knowledge periodically by April 2017	(ii) Cable station	
	vi. Appropriate cable repair and maintenance agreement for domestic cables is in place before completion of cable lay, by June 2017	(iii) Cable route	
	vii. Commissioning, provisional acceptance, and ready for service by August 2017	2. Land Ownership:	
	viii. Final acceptance by September 2017; and,		(i) Cable landing site
	ix. Continue regular monitoring and supervision until December 2017.	(ii) Cable station	
		(iii) Cable route	

Project Components	Component Activities	Current Status of Land Ownership or Use	Need for Additional Land and/or Potential Issues
2. Improved legal and regulatory environment	(i) Review and develop effective regulation for the sector with a particular focus on wholesale markets by March 2016. (ii) Establish wholesale tariffs including price and non-price terms for access to all international fiber optic bandwidth services in Samoa by June 2016. (iii) Carry out a nationwide consumer survey to understand the benefits of ICT by September 2016. (iv) Procure technical equipment required to administer effective monitoring by March 2016 and (v) Capacity development for OoTR staff by December 2016	Land Status: n/a	

V. Consultations and Disclosure

16 Two-level consultations were held during the conduct of the social impact assessment for this project. The first level included individual meeting with relevant government agencies, civil society including the private sector and women’s organizations (see Annex 3 Consultations Attendance List). This was followed up by a wider community consultations conducted in the two communities where the two landing sites and cable stations are to be located, Tuasivi and Fagali’i villages. Attending were relevant stakeholders including the private sector, NGOs, and other government agencies who were interested in the project. The general public was also invited to listen to the presentation and participate in the discussions. Table 2 below provides a summary of the consultations including issues raised and IEE/ESIA Consultants and MCIT response to these issues.

Table 2. Summary of Community/Public Consultation In Tuasivi and Fagali'i Sites

Date and Venue	Participants	Consultation Activities	Issues Raised	Response by Team
<p>Tuesday, 24 March 2015</p> <p>Tuasivi College Hall, Savai'i</p>	<p>At least 42 participants from the two villages of Tuasivi and Safoaga. Included village chiefs (matais), church, women and youth representatives. President and other officers from the private sector (Savai'i Chamber of Commerce) also attended.</p>	<p>Public/Community Consultation</p>	<p>Question on compensation if the cable will go through their village land?</p> <p>Markers to mark where the cable will be laid?</p> <p>Does laying cables attract natural disasters?</p> <p>Wouldn't this cause more problems within family, mainly between man and wife?</p>	<p>Chief was asked to show the boundary to the consultants to ensure cable does not encroach on their village land.</p> <p>Yes</p> <p>No</p> <p>ISP provider should be able to inform parents how to set up parental lock.</p>
			<p>Women are always fishing, would there be any effects to the women?</p>	<p>No. But will include in the report for the contractors laying the cables to be aware of and looked into further.</p>
			<p>Risk of electrocution if someone is fishing nearby?</p>	<p>Only if someone were to dig up the cable and try to cut it; cable will not be visible and also encased inside a conduit –</p> <p>Engineers assured us that there is no chance of anyone getting electrocuted. Laying of such cables have been around for years and no such thing has occurred to date.</p>
			<p>Do we have to pay for this more efficient and advanced technology?</p>	<p>Yes, but most mostly like be cheaper.</p>
			<p>Will there be someone to do maintenance on these cables should someone decide to vandalize it? And how deep is the cable buried?</p>	<p>Yes. A company will be contracted to maintain the cable.</p> <p>1 meter deep.</p>

Date and Venue	Participants	Consultation Activities	Issues Raised	Response by Team
<p>Wed. 25 March 2015</p> <p>Foamatu Hall, Fagali'i Village, Upolu</p>	<p>At least 55 participants attended. These included village chiefs and High Chief, women and youth representatives from Fagali'i.</p> <p>Samoa Chamber of Commerce, Women in Business Development and National Council of Samoa attended.</p> <p>ISP providers particularly Bluesky CEO and management and Digicel key officials were also present in the consultation.</p>	<p>Public/Community Consultation</p>	<p>What are the effects of this cable being laid closer to shore? This would be the second time the beach would be dug up for cables to be laid.</p> <p>How the cable will be brought up to the Golf Course?</p>	<p>There will be no significant impact.</p> <p>Existing cable is buried beneath the seabed and the second cable will be buried parallel to the first one in a trench.</p> <p>It will come up to shore landing site which is the Bluesky Samoa manhole. It will be buried one meter below surface along the roadside.</p> <p>A trenching machine will be recommended for this. The area used will be on the road allowance which will have no significant impact on properties or plantations, etc.</p>
			<p>What are your results from consultations and how can we protect ourselves from negative social impacts?</p>	<p>The Samoan Government is looking at developing awareness programs (CEO, MCIT).</p> <p>It is really up to the parents and adults to look and monitor how children are using the internet and to avoid them from gaining access to undesirable websites.</p>

Date and Venue	Participants	Consultation Activities	Issues Raised	Response by Team
			Why Bluesky? Why not another Telecommunications company?	Bluesky Samoa has the existing manhole without having to acquire additional land.
			What's in it for the village of Fagalii? What is the end product?	Benefit to Fagalii – it is hoped that service and higher speed will come at a lower cost.
			How much is it going to cost the people?	In short – gain more knowledge at faster and cheaper cost.
			From last cable laid, we notice a few breeds of fish are no longer around.	No impact to marine life.
			I would also like to address a matter to the CEO of Bluesky Samoa. Since the manhole had been put on our property the company has not kept to their word of payment to us for lease for the manhole. Up to now nothing has come in so far. Could Adolfo (Bluesky CEO) please give us a reply as to why? We are making sure that there is no damage or vandalism done to this manhole 24 hours a day.	The Ministry (MCIT) will discuss this further with Bluesky and get back to the affected parties. We have taken your concerns and questions into consideration (MCIT CEO).
			To improve communications with the Mayor of Fagalii so we know where things stand, especially with lease matters so this does not have to be brought up again.	Acknowledged recommendation of Matai.

Annex 1. Draft Action Plan on Resolution of the Sublease Payment Claim From Bluesky Limited

Draft Action Plan for Resolving Issues Associated with the Sublease Arrangements for the Beach Manhole Housing the Existing ASH Fibre Optic Cable, Operated by Blue Sky Corporation

29 May 2015

No.	Step	In-Charge	Timeframe
1	Meet MNRE CEO and ACEO seeking agreement to move forward with formal sublease agreement between Bluesky and Suafai Family and Submission of a draft Sublease Agreement to the Lands Board.	MNRE & MCIT CEOs	28 May 2015, completed
2	Prepare a draft sublease agreement between Blue Sky and Suafai family and seek agreement in principle from both parties, pending Lands Board approval	MCIT working with Blue Sky	Ready for Submission to Lands Board, June 5, 2015
3.	Prepare letter agreement between MCIT and the Suafai family indicating MCIT's intention to pay the ST 5,000/year fee increase requested by the Suafai family; and get a sign off by family.	MCIT and family	Before June 5, 2015
4.	Submit the draft sublease agreement with note on agreement in principal from the two parties, to the Lands Board for formalization; <i>in advance of the formal meeting</i>	MNRE/MCIT ACEOs	June 10, 2015
5.	Lands Board meets and formalizes the sublease between Bluesky and Suafai family for the original amount and terms agreed to via the handshake in 2007	Lands Board and MNRE	Mid-June 2015
6.	Sublease agreement is finalized for the original ST 10,000/year fee—with both parties signing	MCIT/MNRE facilitates with and two parties	June 30, 2015
7.	Report of resolution, with copies of the letter agreement and the sublease agreement submitted to ADB.	MCIT	End June 2015

Annex 1.1. Letter of Assurance to ADB from Minister of Ministry of Infrastructure and Communications



GOVERNMENT OF SAMOA

**OFFICE OF THE MINISTER
OF COMMUNICATIONS, AND INFORMATION TECHNOLOGY**

(Ministry of Communications and Information Technology, Samoa Post Ltd and Office of the Regulator)

13 April 2015

Ms Maria Melei
Country Specialist
Urban, Social Development and Public Management Division
Asian Development Bank
Manila
PHILIPPINES



Dear Ms Melei,

**RESOLUTION OF FAGALII LAND-USE ISSUE
SAMOA SUBMARINE CONNECTIVITY PROJECT**

I am writing this letter to assure the development partners (AQDB and the World Bank), that we are working with the Ministry of Natural Resources and Environment, the family and Bluesky Samoa in resolving the land lease arrangement with the Fuamatu Suafa'i family.

The said land is a government land, leased to the Fuamatu Suafa'i family for twenty (20) years, which started in 2005. The family had entered into an agreement with the then SamoaTel (now Bluesky) to allow for the first cable landing on this government land. The family is asking for the payment of unpaid lease, and for cutting grass and ensuring that people and vehicles are kept away from the beach manhole.

Following government discussions with the family and the village High Chiefs, where they assured that they will allow the fiber optic cable to be installed and be protected, as they are doing with the ASH cable on the existing beach manhole, I would like to reiterate my assurance, not only as the Minister of Communications and Information Technology; but also as one of the two High Chiefs in Fagali'i village that the cable will be allowed and protected throughout the project life.

This is an international matter that the Government and Fagali'i village chiefs will resolve, and should not affect the timeliness of the project.

We hope that this letter would suffice as an assurance for the project to continue.

Yours sincerely,



Tuisugaletauā Maposua Ali'imalémanu Sofara Aveau
MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

Annex 2. Minutes of Public/Community Consultations (Tuasivi and Fagali'I Sites)

Tuasivi Consultation

**ADB/WORLD BANK
FIBRE OPTIC CABLE PROJECT CONSULTATION PRESENTATION
HELD IN TUASIVI COLLEGE HALL, TUASIVI, SALELOLOGA, SAVAII
ON 24TH MARCH 2015 at 10.00am – 12:20 pm**

PRESENT: ADB/WB Team - Geza C. Teleki (Team Leader), Mrs Lulu Carmine (Sociologist), Steve Lindsey (Marine Biologist), Ronnie Aiolupeteo (MCIT), Tulima Tuleki 2 other MCIT Members, Vaasiliega Lagaia (MCIT), Rosabel Keil (assistant to the ADB/WB team).

IN ATTENDANCE: Participants included chiefs, women, church and youth representatives from the two villages (Tuasivi/Fogapoa and Siufaga) in proximity to the project site (please refer to attached list). Also included officers of the Chamber of Commerce organization in Savai'i as well as Ministry of Internal Affairs representatives.

10.10am: Vaasiliega Lagaia (Matai on behalf of MCIT) opened with a speech to thank the Matais from the neighboring villages of Fogapoa, Siufaga and Tuasivi for accepting the invitation from ADB/WB and MCIT to attend this Consultation Presentation:

Ava Ceremony begins.

10.35am: Ava Ceremony ends.

10.40am: Presentation begins with Geza Teleki taking the floor and introduces the rest of the team. Ronnie Aiolupeteo translates for Geza's part of the presentation.

Power Point Presentation by Geza Teleki begins with:

- i. Background to the Environmental and Social Assessment
- ii. Expected Outputs Reports
- iii. Cable Installation and Methods
- iv. Findings and defining Actions on Environment

Lulu Carmine was introduced and began her Presentation on:

- v. Findings and defining Actions to be taken on Social Tasks
Consultations with 10 key stake holders, including 7 agencies, NGO's, Blue Sky Samoa and Chamber of Commerce

Geza took the floor again to end the Consultation with:

Conclusions to these Consultations and Findings.

- vi. Timing on Environmental and Social Safeguards documentations
Grant effectiveness
Tentative Construction Date
Donor inspection during the Construction Period.

Power Point Presentations by Geza and Lulu completed.

Floor was then open for Q. & A. Translations by Ronnie Aiolupetea and Vaasiliega Lagaia

Q. (male) : Referring to Page 4 of Consultation report I wish to point out that the cable is cutting onto and through the shoreline of our Village - will there be any monetary compensation for this?

A. (Geza): This is a temporary alignment and other options will be looked into further.

Note (Lulu): The Team after the consultation went back to the proposed site and made sure that the alignment is along government land. A larger map was prepared by the Marine Biologist to clearly show and ensure that the cable route is going through government land in consultation with the village Chief.

Q. (male): Will there be markers to indicate where cables are being laid?

A. (Geza): Yes markers will be laid.

Q. (male): Doesn't this sort of thing (laying of undersea cables) affect or attract natural Disasters eg. Such as cyclones? I'd also like to request to Geza that the next time he comes to Samoa would he kindly donate 2 Computers to their village so we too can learn and utilise this new fibre optic service?

A.(Geza): It is highly unlikely the the laying of these undersea cables attract natural Disasters., and yes , should some kind donor be willing to purchase the Computers I will bring them for you. I would also like to add that if any of you want to know more about this project to please contact someone within MCIT and they can discuss this with you.

Q. (F): With the installation of this cable, means faster internet, which I have 2 concerns about. (1)wouldn't this cause more problems within family, mainly between man and wife ie., the undesirable websites. (2) Women are always fishing, would there be any effects to the women?

A.(Geza): The cable will not be visible to those fishing within these areas but this concern will be added to our reports as something for the contractors laying the cables to be aware of and looked into further.

A.(Lulu): There are ways such as websites to help control what your children and spouses can download and watch. The ISP provider should be able to inform the parents how to set up parental control mechanisms.

Q. (M): If someone is within these areas fishing, is there a chance of being electrocuted?

A.(Geza): Only if someone were to dig up the cable and try to cut it then there is that Chance but as mentioned before the cable will not be visible but is also encased inside a conduit – engineers have assured us that there is no chance of anyone getting electrocuted. Laying of such cables have been around for years and no such thing has occurred to date.

Q. (F): Do we have to pay for this more efficient and advanced technology?

A.(Geza): Yes, as with all things offering this type of technology and service there is always a fee but most likely cheaper.

Q. (M): What sort of affect would it have on our environment especially for those of us who live off the sea for daily food? Will this help us catch fish faster? Ie., would it help attract fish?

A.(Geza): Well maybe through the internet you can Google a more effective and faster method of attracting and catching fish.

Q. (F): What about lightning? Will this affect the cable?

A.(Geza): No effects to the cable as it is buried beneath underneath the seabed.

Q. (M): Will there be someone to do maintenance on these cables should someone decide to vandalize it? And how deep is the cable buried?

A.(Ronnie): There will be a company contracted to check and maintain cables. These cables are buried 1 meter deep.

Namulauulu, one of the Matais concluded that the presentation on the consultations received have been very informative and thanked Geza and the team. He then added that as time was running short it would be best to close the meeting.

12.20pm: A thank you speech by Vaasiliega to the participants and meeting was then declared closed and refreshments were to be served.

Fagali'I Consultation

ADB/WORLD BANK FIBRE OPTIC CABLE PROJECT CONSULTATION PRESENTATION HELD IN PILO'UA, FOAMATU HALL, ON 25TH MARCH 2015 at 10.00am – 1pm

PRESENT: ADB/WB Team - Geza C. Teleki (Team Leader), Mrs Lulu Carmine (Social Specialist), Steve Lindsey (Marine Biologist), Tuaimalo A. Ah Sam (ACEO MCIT),
Ronnie Aiolupeteo (MCIT), Tulima Tuleki (MCIT), Anthony Saaga (MCIT),
Letoa M. Faasino (MCIT), Vaasiliega Lagaia (MCIT), Rosabel Keil (assistant to
the ADB/WB team).

IN ATTENDANCE: Participants included chiefs, women, church and youth representatives from Fagali'i Village where the proposed cable landing station is located (please refer to attached attendance list). Representatives from the private sector, NGOs including Chamber of Commerce, Women in Business Development and National Council of Women, as well as Ministry of Internal Affairs representatives attended the consultation. Internet service providers, Bluesky and Digicel CEO and/or senior management, also attended the consultation. Other concerned ministries and authorities including Ministry of Natural Resources and Environment (MNRE) and Land Transport Authority (LTA) were also present.

9.45am: Ava Ceremony begins

10.35am: Ava Ceremony ends.

10.50am: Tuaimalo A. Ah Sam, ACEO for MCIT declares the meeting open with brief outline and plans about the Submarine Cable Project. Acknowledges the representatives from Organizations and Ministries who are present. Introduction of Geza Teleki.

Translations by Ronnie Aiolupotea and Vaasiliega Lagaia

Geza Teleki introduces himself and his team, Lulu Carmine and Steve Lindsey and explanation of their roles in this project. Added that from their Surveys, consultations and Assessments given in reports to ADB/WB, if accepted and approved, the project will then get underway with funding made available.

All those present were given a folder with outlines and descriptions of the project which included photos and illustrations of ship carrying the cables and machinery used for undersea jet trenching and ploughing. A cable given by Bluesky Samoa was also made available to show what it actually looks like.

Geza then begins Power Point Presentation for Submarine Cable Project:

- vii. Background to the Environmental and Social Assessment:
- viii. Expected Outputs Reports
- ix. Cable Installation and Methods
- x. Findings and defining Actions on Environment

Lulu Carmine was introduced and began her Presentation on:

- iv. Findings and defining Actions to be taken on Social Tasks
Consultations with 10 key stake holders, including 7 agencies, NGO's,

Blue Sky Samoa and Chamber of Commerce

Geza took the floor again to end the Consultation with:

- v. Conclusions to these Consultations and Findings.
100% response from consulting with Organizations which is beneficial to the report to be given to ADB, World Bank and the Government of Samoa.
- vi. Timing on Environmental and Social Safeguards documentations
Grant effectiveness
Tentative Construction Date – December 2015 / January 2016
Donor inspection during the Construction Period.

Power Point Presentations by Geza and Lulu completed.

Floor was then open for Q. & A discussions. Translations by Ronnie Aiolupotea and Vaasiliega Lagaia.

Q. (M) : What are the effects of this cable being laid closer to shore? This would be the second time the beach would be dug up for cables to be laid.

A. (Geza): Existing cable is buried beneath the seabed and the second cable will be buried parallel to the first one in a trench. There will be no significant impact.

Q. (M): Could you clarify how the cable will be brought up to the Golf Course?

A. (Geza): It will come up to shore landing site which is the Bluesky Samoa manhole. It is buried one meter below surface along the roadside. A trenching machine will be recommended for this. The area used will be on the road allowance which will have no significant impact on properties or plantations, etc.

Q. (M): What are your results from consultations and how can we protect ourselves From negative impacts in Social Areas.

A.(Geza): Once cable is in operation there will be positive impacts such as speed, Internet access for trainings, studies, etc.

A.(Tuaimalo): Criminal effects – The Samoan Government have been looking at the impact of internet made available so readily to families and have awareness programs. It is really up to the parents and adults to look and monitor how children are using the internet and to avoid them from gaining access to undesirable websites.

A.(Lulu): The positive impact is faster internet. The Social impacts are that (1) the role of parents come into play and communication between parents and children is very important. (2) Using Yap as an example, be pro-active through interagency committee formation particularly with Womens' Committees and other Organizations, monitoring of internet usage and having awareness programs.

A.(Geza): You can get on to your service providers for information on software you can download to restrict sites eg., pornographic sites.

Q. (M): (1) Why Bluesky? Why not another Telecommunications company?
(2) What's in it for the village of Fagalii?
(3) What is the end product? How much is it going to cost the people?

A.(Geza): (1) Bluesky Samoa has the existing manhole without having to acquire additional land. Aside from issue of undesirable websites, nothing negative has come up.
(2) Benefit to Fagalii – it is hoped that service and higher speed will come at a lower cost.
(3) In short – gain more knowledge at faster and cheaper cost

Q. (M): We hear that electricity will be running through these cables. Taking from last cable laid, we notice a few breeds of fish are no longer around. I would also like to address a matter to the CEO of Bluesky Samoa. Since the manhole had been put on our property the company has not kept to their word of payment to us for lease for the manhole. Up to now nothing has come in so far. Could Adolfo please give us a reply as to why? We are making sure that there is no damage or vandalism done to this manhole 24 hours a day.

Q.(M): I would like to add something to the above question. We hear now of lease not being paid to owner of this property. The assets that belong to the Government which runs through the village of Fagalii are the Golf Course and the Airport and now this Fibre Optic cable..how much more does the village of Fagalii have to give to the Government to use our lands?

A.(Tuaimalo): In regards to the lease we will look into this further with Bluesky Samoa. The Ministry (MCIT) will discuss this further and get back to the affected parties. We have taken your concerns and questions into consideration.

Q. (M): We are awaiting a reply from Bluesky Samoa.

A. (Fuamatu): I will answer on behalf of Bluesky Samoa. In regards to the lease, this is utmost on our priority list at the moment. Bluesky and the Government will be meeting to discuss this very subject in the immediate future. In reply to the question posed about the electricity in the cable affecting the marine life – no impact at all to marine life.

Q. (M): I would just like to offer some advice for future references. From past experiences with Land Transport Authority and Samoa Water Authority, my strong recommendation is please to improve communications with the Mayor of Fagalii so we know where things stand, especially with lease matters so this does not have to be brought up again.

Vaasiliega Lagaia then thanked the Mayor and Matais of Fagalii for attending this important Consultation and refreshments to be served.

The meeting was then declared closed at 1.00pm.

Annex 3. Attendance List for Tuasivi and Fagali'i Community/Public Consultations

Tuasivi, Savai'i

Nuu	SUAFA	CONTACT PHONE	MALE/FEMALE
VITILE	VAASILIEGA .I. LAGAAHA	758 6820	MALE
Siufoaga	Sa. Vanua	7747655	FEMALE
Fogapoa	Su. Namukaula Moa	846-4048	Female
Fogapoa	Fay. T. Sio	7270272	Female
Siufoaga	Lanfiso Nanisoni	7241690	Male
Siufoaga	Elmusa Ekema	7749646	M
Fogapoa	Vinimalu. Romina	7579511	M.
Fogapoa	Sulau. Tatole	??	M.
Fogapoa	Fatuaitu Parlu		M
Fogapoa	Faulopoa Iua	7246366	M
Fogapoa	Morimano. I. I. I.	7224996.	M.
Fogapoa	Salele Namukaula		M
Fogapoa	Ia. Kuu. N.		M
Fogapoa	Samala So.	7270272.	M.
Fogapoa	Kisa Laualei	7246565	F.
Fogapoa	Lepera Ischa	7512027	F.
Fogapoa	Tamali Alafise	7031311	F.
Fogapoa	Ema Esera	7741629.	F.
Salelologa	Leagaiga Tamati	728671	M
Salelologa	Jerry Tarin	7700157	M
MASIVI	XXXXXXXXXX		
Fogapoa	Penafai Su.	7758722	F.
Fogapoa	Namukaula Salala	7758734.	M
Fogapoa	Misipati Ape Pen	7036441	M
Siufoaga	Aimasa. Pama	7233588	F.
Siufoaga	Galutele. Tamala	7710299	F.
Fogapoa	Su. Ianuci. Coega.	—	—
Fogapoa	Jerry M.	—	M
Fogapoa	Reupena	7727600	M
Fogapoa	Tolu. L. L.		M

Nuu	SUAFA	CONTACT PH.	MALE/FEMA
TIASIVI	Atorio	-	F M
Sifaga	Lapramu	.	M
Fogaga	Namuaudu Sefi	846.4048	M
Gulaga	VAULA TALA	7221568	M
SUPAGA	FofoPuka Mulumai	7761267	M
Fogaga	Limanga Tauavece	-	F
TIASIVI	LVA Alalatoa	-	F M
Tiasivi	Putesi Alalatoa	-	M
TIASIVI	LIVAO. FALOGA.	✓	M
TIASIVI	Pualo. Melele.	✓	M
TIASIVI	Safaga. Eti	✓	M
TIASIVI	Fuafiti. Fagale.	✓	M

Annex 3. Attendance List for Tuasivi and Fagali'i Community/Public Consultations

Fagali'l, Upolu

**ADB WORLD BANK AND MCIT
SAMOA SUBMARINE CONNECTIVITY PROJECT (SSCP)**

ATTENDANCE *Fagalii*
On Environment and Social Safeguards Assessment
Fagalii, 25 March 2015 (10:00 a.m – 12:00 p.m)

<u>SUAFA</u>	<u>NUU</u>	<u>TELEFONI</u>	<u>ALI'/TAMA'ITA'I</u>
STORLEY MARINER	PESEGA TULALE	26605	TAMAITAI
LEAFA MOKEAI	Fagalii	717261	Tamaitai
Sina Vili	Fagalii	7203128	Tamaitai
Sapati Fainumu Spti	Fagalii	7274687	Tamaitai
Thoa	Fagalii	7327388	Tamaitai
Ai Kola. Sansilivi	Fagalii	7740462	"
Picapepe Taala	Fagalii	7281129	Tamaitai
Faao. Usini	Fagalii	7750015	Tamaitai
Sapati Tuti	Fagalii	7274687	Tama
Mami	-	7793284	-
Asulu	-	7274403	-
Samisi M.	-	7654351	-
Iopu - A	-	7716955	-
Asitotiqa. Moe'kauo	-	72715144	-
CALLER			
Sio Viliamu	Fagalii	7771260	MALE
Aufema Jealifano	Fagalii	7275042	-
Kalita L.	"	8402088	MALE
TAMATA SAVAII	FAGALII	7515322	ALI
Kabagotale Pali	FAGALII	7270676	ALI
Taapala Leota	Fagalii	78402088	Alii
Tioto Faanusilo	Fagalii		Alii
MARK FETU	Fagalii	7202136	M
Faello. Vaa	Fagalii	7786235	ALI
27411			
Marana's Zel	Fagalii	7618604	Alii
Mulian. Ulanoto.	Fagalii	7225406	Alii
Faiua Peli	Fagalii	7512842	Alii
Falaaali F. Usini	Fagalii	7751984	Alii
Aranganai Siofaga	Fagalii	7775992	Alii

ALANI FAIAI	TOAMUA	7500899	ALII
Tuidlo Schuster	Uailimov	7784140	Tamaitai.
Pamela Sua	Matautu-ula	7922244	Tamaitai
LINDA AH Kwoi	Vaiala (MNRE)	776210/6720	✓
Fuamatai Lapano			
Fuamatai Fuahia	Fagalii-tai	7271363	Tamaitai
Patery-Tamvale	MNRE	7237076	Alii.
Roseta Mulimau, Sui	MWCSB	7612504	Alii.
Joep Davetamivatu	SPREP	7253782	Male
DAVE MAIN	BLUESKY.	7571301	✓
ADOLFO MONTENGARO	✓	7551016	✓
Thomas	Fagalii		
Atty Sarge	MCIT	26117	Alii
Jaynon Mangal	Digicel	7749421	male.
DENNIS WILLIAMS	Digicel	7700155	male.
MAUR SINFORD	ASH cable	7500130	✓
LOA SETALA	FAGALII	7227388	✓
Elisain Sr Kolio	LTA	7231156	✓ (Male)
Samuel I. Lokere	Fagalii	7648619	✓
Ronnie Aiolupoko	MCIT	7780252	✓
TULIMA TULEKI	MCIT	76276255	T. Tuleki
Tuaimalo A. Ah Sam	MCIT	7622908	MALE
Jeton M Fasino	MCIT	7622955	MALE
Vaasiliepa Lagua	MCIT		
FAMWAKENAU LOANE TAGATA	FAGALII	7755477	ALII

55 + 125600

Azra Teleki

for ASD/MB

Lulu Carmine

✓

Steve Lindsay

✓

Rosalee Kail

for Lisa & team

Annex 4. Involuntary Resettlement Screening Checklist

INVOLUNTARY RESETTLEMENT IMPACT CATEGORIZATION

Involuntary Resettlement Impact Categorization Checklist - Tuasivi, Savai'i

Date: 7 May 2015

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		<i>Landing site.</i> The proposed landing site in Tuasivi is inside the government hospital compound in Tuasivi Village. <i>Cable station.</i> Will utilize the existing Blue Sky cable station inside the government hospital compound (converted container van). It is a vacant lot next to the hospital. The proposed sites for Savai'i cable landing and cable stations are on a vacant lot, free of any structure including residential houses and food plantations.
2. Is the site for land acquisition known?	n/a			
3. Is the ownership status and current usage of land to be acquired known?	n/a			
4. Will easement be utilized within an existing Right of Way (ROW)?	X			The fiber optic cable will be laid from the back of the government hospital compound then along the main road on the left side in front of the hospital to the existing Blue Sky Samoa cable station between the hospital and the government post office (Samoa Post).
5. Will there be loss of shelter and residential land due to land acquisition?	n/a			
6. Will there be loss of agricultural and other productive assets due to land acquisition?	n/a			
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?	n/a			
8. Will there be loss of businesses or enterprises due to land acquisition?	n/a			
9. Will there be loss of income sources and means of livelihoods due to land acquisition?	n/a			
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?	n/a			
11. If land use is changed, will it have an adverse impact on social and economic activities?	n/a			
12. Will access to land and resources owned communally or by the state be restricted?	n/a			
Information on Displaced Persons: N/A				
Any estimate of the likely number of persons that will be displaced by the Project? If yes, approximately how many?				[] No [] Yes
Are any of them poor, female-heads of households, or vulnerable to poverty risks?				[] No [] Yes
Are any displaced persons from indigenous or ethnic minority groups?				[] No [] Yes

Involuntary Resettlement Impact Categorization Checklist – Fagali’i Village, Upolu 7 May 2015

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		<p><i>Landing site.</i> The site is a cable-ready beach manhole (BMH) located on a government-owned land, on a 20-year lease by the Suafi family (2005 until 2025). The family is claiming unpaid lease from Bluesky, owner of the existing cable on the BMH.</p> <p><i>Cable station.</i> The proposed site is on a government land (Royal Samoa Golf Course). The government, through MCIT, will enter into an internal agreement with SLC to construct the cable station on the site thus eliminating the need for acquisition of customary or private land.</p> <p>The proposed sites for Fagali’i cable landing and cable stations are on a vacant lot, free of any structure including residential or business structure and food plantations.</p>
2. Is the site for land acquisition known?	n/a			
3. Is the ownership status and current usage of land to be acquired known?	n/a			
4. Will easement be utilized within an existing Right of Way (ROW)?	X			<p>The fiber optic cable will be laid along the government road reserve along the East Coast Road. Then to be laid inside the fence of the government-owned golf course (along the unsurveyed public road) towards the cable station site.</p>
5. Will there be loss of shelter and residential land due to land acquisition?	n/a			

6. Will there be loss of agricultural and other productive assets due to land acquisition?	n/a			The proposed sites are on a government land, currently under lease to one of the families in Fagali'i village.
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?	n/a			
8. Will there be loss of businesses or enterprises due to land acquisition?	n/a			
9. Will there be loss of income sources and means of livelihoods due to land acquisition?	n/a			
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		n/a		
11. If land use is changed, will it have an adverse impact on social and economic activities?		n/a		
12. Will access to land and resources owned communally or by the state be restricted?		n/a		
Information on Displaced Persons: N/A				
Any estimate of the likely number of persons that will be displaced by the Project? If yes, approximately how many?			<input type="checkbox"/> No <input type="checkbox"/> Yes	
Are any of them poor, female-heads of households, or vulnerable to poverty risks?			<input type="checkbox"/> No <input type="checkbox"/> Yes	
Are any displaced persons from indigenous or ethnic minority groups?			<input type="checkbox"/> No <input type="checkbox"/> Yes	