

# Indigenous Peoples Planning Framework

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## PNG: Multi-tranche Financing Facility for the Sustainable Highlands Highway Investment Program

Prepared by the Department of Works for the Asian Development Bank.

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**CURRENCY EQUIVALENTS**  
**(as of 1 February 2017) Currency**

**Unit – Kina (K)**  
**K1.00 = \$0.32**  
**\$1.00 = K3.10**

**ABBREVIATIONS**

ADB	-	Asian Development Bank
APs	-	Affected persons
CEP	-	Community Engagement Program
COA	-	Certificate of Alienability
CPP	-	Community Participation Program
DAL	-	Department of Agriculture and Livestock
DLO	-	District Lands Officer
DLPP	-	Department of Lands and Physical Planning
DMO	-	Disaster Management Office
DMS	-	Detailed measurement survey
DOW	-	Department of Works
DPs	-	Displaced persons (physically or economically)
DSC	-	Design and Supervision Consultant
EHP	-	Eastern Highlands Province
GoPNG	-	Government of Papua New Guinea
HH	-	Highlands Highway (or Okuk Highway)
HRMG	-	Highlands Region Maintenance Group
IP	-	Indigenous People
IPPF	-	Indigenous Peoples Planning Framework
IPP	-	Indigenous Peoples Plan
LAR	-	Land acquisition and resettlement
LARF	-	Land acquisition and resettlement framework
LARP	-	Land acquisition and resettlement plan
MFF	-	Multi-Tranche Financing Facility
MOA	-	Memorandum of Agreement
Momase	-	Morobe, Madang, and Sepik region
NGO	-	Nongovernmental organization
PFR	-	Periodic Financing Request
PMO	-	Program/Project Management Office
PNG	-	Papua New Guinea
SES	-	Socio-economic survey
WHP	-	Western Highlands Province

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## I. INTRODUCTION

1. The proposed Sustainable Highlands Highway Investment Program (SHHIP) through a Multitranche Financing Facility (MFF) modality will rehabilitate, upgrade and sustainably maintain the most trafficked section of Papua New Guinea's Highlands Highway (HH). It is expected to increase efficient and safe movement of people, goods and services between the Highlands region and markets by focusing on the 430 kilometer (km) of HH from Lae Hadzab airport to Kagamuga airport in Mt Hagen. The HH carries the bulk of the traffic in the region from the hinterlands to the nation's most active port at Lae. The communities in the provinces in which the HH traverses will be the main beneficiaries. Their common sources of income are primarily based on agricultural production. Improved transportation will assist their lack of access to (i) markets for agricultural produce; (ii) cash paying jobs, (iii) education and health services, and (iv) potable water and sanitation.

2. The SHHIP's specific outputs will be: (i) 430 km of two-lane rural HH from Lae Hadzab airport to Kagamuga airport in Mt Hagen, is restored, upgraded, and effectively maintained as required to be safe, climate- and disaster resilient for all users; (ii) road safety increased and sustained for pedestrians and vehicle passengers on the HH; (iii) transport logistics and services improved in the Highlands region to strengthen agricultural value chain for domestic and international trade; and (iv) program management and institutional capacity of DOW strengthened to deliver the Investment Program and sustain its benefits.

3. The SHHIP will be implemented for a period of 10 years with three proposed tranches. Under Tranche 1, 40% of the 430 km of two-lane rural HH from Lae Hadzab airport to Kagamuga airport in Mt Hagen will be restored, upgraded, and effectively maintained as required to be safe, climate- and disaster resilient for all users. Tranche 2 will focus on the upgrade or reconstruction of the 29 one-lane bridges and 40 two-lane bridges. Tranche 3 will complete the rehabilitation and upgrade of pavement, including construction of a new road bypass around Goroka to carry heavy- and through-traffic; will construct two logistics platforms in Goroka and Minj for the trading and handling of fresh produce to domestic and regional markets; and will establish two weighbridge stations in Goroka and Minj to control truck overloading. Each future tranche will also include capacity support, feasibility and design studies, and other "soft" investments.

4. The SHHIP will cost \$1 billion equivalent. It is being structured as follows: (i) up to \$625 million from ADB's ordinary capital resources (OCR), (ii) up to \$70 million from ADB's concessional ordinary capital resources lending (COL), (iii) cofinancing of approximately \$180 million, and (iv) government contribution of approximately \$150 million.

## II. OBJECTIVE AND POLICY FRAMEWORK

5. **Rationale and objective of IP Planning Framework.** PNG is made up of over 800 languages and ethnic groups, all with a similar status. They are all considered indigenous, composed of different tribes and clans, but are part of the mainstream society belonging to Melanesian. The communities along the HH are not considered distinct and are not expected to be vulnerable due to the investment program. Assessment and field visits confirm that the people in the proposed project sites experience the same social problems and opportunities as other tribes and linguistic groups in PNG. Social divides are more pronounced between those living in urban or rural areas, between those along the main highway and other groups in remote locations, and in some cases between the two genders, rather than being particularly socially

disadvantaged in terms of tribe or linguistic group. The SHHIP project areas include the following main linguistic and tribal groups:

- **Western Highlands Province (WHP):** Melpa (Mt Hagen), Kuman (Hagen and Wahgi), Nii (Wahgi);
- **Jiwaka:** Wahgi (Minj and Kerowagi);
- **Simbu:** Dom (Kundiawa), Gimi (border of EHP), Kuman (Kundiawa, Daulo and Unggai Bena), Kakondo (Kundiawa) Tabari (Gero to Duman), Siane (Magiro, Daulo, Watabung), Sinasina (Sinasina-Yonggamugl);
- **Eastern Highlands Province (EHP):** Gahuku-Asaro (Goroka), Dano (Goroka), Yagaria (Goroka), Benabena (Goroka), Kamano (Henganofi and Kainantu), Keyagana (Henganofi), Agarabi (Kainantu); and
- **Morobe:** Gadsup (EHP and Markham), Adzera (Markham Valley).

6. Improving road access will benefit these groups by enhancing connectivity particularly access to markets and services more productively and cost efficiently. The Indigenous Peoples Planning Framework (IPPF) will reinforce the project's participatory process to ensure that all clans and tribes in the project area will be effectively involved and able to participate in project benefits. Tranche 1 is categorized as C for Indigenous Peoples (IPs) and succeeding tranches are not expected to include any distinct groups and cause any adverse impacts to dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain. Nevertheless, provision has been made to carefully assess and ensure that indeed this will be the case during the project preparation and detailed project design. The IPPF will therefore guide the selection, screening, assessment, preparation, and categorization of succeeding tranches under the SHHIP to ensure better distribution of project benefits and promote development of all tribes and clans in the project area.

### **ADB Safeguard Policy Statement**

7. The IP safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of IPs or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as an ancestral domain or asset. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account. A group that has lost collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage under this policy.

The Policy Principles are as follows:

- i) Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.

- ii) Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.
- iii) Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns.
- iv) Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.
- v) Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.
- vi) Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.
- vii) Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous

Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.

- viii) Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.
- ix) Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.

8. **Government of PNG Law.** The country's legal system recognizes the customary law as key part of the underlying law. This is particularly observed in the provision of customary landownership.

9. The **PNG Constitution** adopts the customary law as part of the underlying law of the country and recognizes customary rights attached to customary land. According to the 2000 Underlying Act, the customary law comprises the rules, rights and obligations pertaining to an individual or group by custom and tradition. The customary law applies and the courts recognize it where written and underlying laws do not apply and it is not inconsistent with written law.

10. The **Land Act** (1996) sets out the procedures for the government to acquire customary land required for public purposes. The key provisions of the Act are (i) the government may acquire land, including improvements on land, through agreement or compulsory acquisition; (ii) in case of negotiated purchase, the government and customary owners mutually agree terms and conditions; (iii) even in case of compulsory acquisition, participation of leaders of customary landowners and local government representatives is sought in several steps; and (iv) compensation for affected customary land is provided to the landowner groups/clans, while compensation for land improvement (e.g. crops) is provided to individual land users.

11. The **Land Disputes Settlement Act** (2000) sets out the procedures for resolution of disputes involving customary land. The Act provides for a land disputes committee at provincial level and land courts at local, district and provincial levels. The committee can appoint land mediators. The Act promotes resolution of disputes through mediation based on the principles of traditional dispute settlement. If mediation fails, it is followed by appeal to the courts.

12. The **Land Groups Incorporation Act** (1974) recognizes the corporate nature of customary groups and allows them to hold, manage and deal with land in their customary names. A customary group can register with the Registrar of Incorporated Land Group (ILG) and, once registered, the rights and liabilities of the customary group become rights and liabilities of the ILG. An ILG may acquire, hold and dispose of customary land, enter into agreements for its use and management, and distribute any product or profits from the land. Each ILG must have a dispute-settlement authority, for dealing with disputes between group members or between the ILG and a member, including disputes over entitlement to membership.

13. The Environment Act (2000) provides the guidelines on environmental impact assessment and management. The Act was recently amended by the National Parliament. The



amendments are related to approval of environment assessment report and environment permit and are targeted mostly towards the private sector projects. It is not expected to affect the TEIP, as it is the public sector project and will follow the Land Act for acquisition of customary land.

14. **Based on ADB SPS and PNG laws**, the principle objectives of the IPPF are to design and implement tranches in a way that fosters full respect for IP's identity, dignity, human rights, livelihood systems and cultural uniqueness as defined by IPs themselves. Each tranche will ensure that IPs will (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of the activities under each tranche, and (iii) can participate actively in the entire process of preparation, implementation and monitoring activities.

15. The need for an indigenous peoples plan (IPP) will depend on the nature and scale of the subproject impact and vulnerability of IPs. The social assessment will identify requirements for preparing an IPP and/or incorporation of IPP elements in other project design documents such as resettlement plan (RP). An IPP would be required if IPs are found to be distinct and vulnerable and they experience significant impacts, including (i) adverse impacts on customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to the project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions.

16. The procedures in preparing IPP are outlined in Section IV. The level of detail and comprehensiveness of IPP will vary depending on the specific subproject and the nature of impacts to be addressed. If the impacts are limited to acquisition of customary land, the elements of IPP will be combined to the RP. If IPs are the sole or overwhelming majority of the subproject beneficiaries and only positive benefits are found, the elements of the IPP could be integrated into the project design or documents such as community development program to ensure that all ethnic groups participate in and receive culturally appropriate benefits from the subproject. No separate IPP will be prepared in such cases.

17. Special efforts must be made to ensure that in addition to the land, the compensation covers cultural assets such as sacred sites, waters, temples, cemeteries, and the like. The problem lies in that valuing this kind of asset does not yield a strict monetary value. Thus the nature of compensation for intangible assets must be carefully considered and the displaced communities due to receive compensation consulted on this.

### **III. IDENTIFICATION OF AFFECTED IPS**

18. The population in the Highlands Region in PNG do not consider themselves as ethnic monitory or distinct from mainstream society. The population is composed of different clans and tribes belonging to Melanesian. An investigation will be done to confirm the presence of different clans/tribes and ownership of customary land in each project site and/or likely impacts to them of the project and their vulnerability. Local community leaders, local governments and other relevant stakeholders will be consulted.

### **IV. SOCIAL IMPACT ASSESSMENT AND PREPARATION OF IP PLAN**

19. The following processes have been adopted from the ongoing projects in PNG in undertaking social impact assessment, screening and classification and preparation of an IPP. These should be done jointly with the socio-economic survey, census and other field visits where required under the SHHIP's Land Acquisition and Resettlement Framework (LARF).

- i) Screen the potential impacts of each tranche activities on IPs (Appendix 1)
- ii) Conduct a field-based social impact assessment (SIA). The SIA will (i) review legal and institutional framework applicable to IPs in tranche; (ii) provide socio-economic baseline information of affected IPs and their land ownership and use of natural resources; (iii) identify key project stakeholders and appropriate process for consultation with IPs; (iv) assess potential adverse and positive effects; (v) assess affected IPs' perceptions about the project and its impacts; and (vi) recommend measures to avoid, minimize, mitigate, and/or compensate for adverse effects and to ensure that the IPs receive culturally appropriate benefits. Information will be gathered from separate group meetings within the tribal community, including tribal leaders; group of tribal men and women, especially those who live in the zone of influence of the proposed tranche.
- iii) Carefully screen, together with indigenous people, the physical works to be undertaken to gain a preliminary understanding of the nature and magnitude of potential impacts, and explore alternatives to avoid or minimize any adverse impacts;
- iv) Where alternatives are not feasible and adverse impacts are unavoidable, immediately make an assessment of the key impact issues jointly with indigenous people and others knowledgeable of indigenous people cultures and concerns
- v) Assess the need for Broad Community Support (BCS) on any particular subproject, and if necessary obtain BCS
- vi) If there will be a requirement to prepare a separate IPP, the plan needs to have mitigation measures of potentially negative impacts, modification of project design and project assistance. Where there is land acquisition, each tranche will ensure their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to the affected IPs. An IPP will include the following: (a) social impact assessment; (b) land tenure information; (c) local participation, information disclosure, meaningful consultation; (d) beneficial measures or mitigation activities including capacity building as relevant from the SIA; (e) institutional arrangement and capacity building; (f) grievance redress mechanism; (g) implementation schedule; (h) monitoring and evaluation and (i) cost estimate and financing plan. The outline of an IPP is in Annex 2.
- vii) As part of mitigation measures, IPP or equivalent country document should include legal recognition of customary rights and territories for project activities that involve customary land acquisition and ascertain broad community support if physical displacement from customary lands should occur or trigger any of the conditions set forth under ADB SPS policy on IP.
- viii) Submit to ADB the IPP or equivalent country document for clearance. IPP provisions and mitigation measures must comply with the ADB policy and approved IPPF and
- ix) Publicly disclose and post on ADB website IPP and relevant documents, including documentation of the consultation process prior to the appraisal of the respective tranche

## **V. CONSULTATION, PARTICIPATION AND INFORMATION DISCLOSURE**

20. Consultation and Participation with IPs will use the same principles set out in the SHHIP's LARF as the majority or sole affected persons are considered as indigenous. For the

IPP, however, IPs are not only confined to customary landowners but as well as all the members of the clans and tribes in the project impact zone who could be affected because of the project. Full consultation and information disclosure will be undertaken with all affected IPs in each tranche to ensure that needs, priorities and preferences of IPs are adequately reflected. This includes their leaders, rights groups, community-based organizations (CBOs), line agencies and PIU representatives will be an integral part of the IPP.

21. All consultations will be documented. The mitigation measures and strategies will be presented to the members of the clans and tribes in community level meetings for their inputs before being finalized. If the tranche will require the consent of affected IP communities, broad community support through meaningful consultations with affected individuals and/or their recognized representatives as specified in Appendix 3 of ADB's Safeguard Policy Statement (2009) will be undertaken. The mechanisms and procedure for documentation of the consultation process that ascertains such broad support from affected IP communities will be as follows:

- i) initial discussions with IPs to inform about the subproject and the need for land;
- ii) focus group discussions on potential impacts and benefits from the subproject;
- iii) a land investigation about land ownership and socio-economic survey to establish a baseline information (e.g. income, livelihood, basic social services);
- iv) community meeting(s) to further discuss IPs' concerns and recommendations;
- v) documentation of outcome of the informal consultation process (i.e., meeting minutes); and
- vi) a memorandum of agreement with landowners demonstrating their support on use of customary land.

22. Broad community support may still exist even if some individuals or groups object to the project activities. It is deemed to be achieved if (i) majority of recognized representatives of the affected IP communities formally express their support; (ii) considerable majority of affected IP communities' members and particularly those most severely affected, provides their support either through formal agreements or other informal means; (iii) any significant opposition or major disagreement has been resolved through a Good Faith Negotiation process. Department of Works (DOW) through the Project Management Office (PMO) must ensure that the most vulnerable elements of the IP community are adequately represented. This may include women, the elderly, and poor. This could be obtained through separate meetings, sensitively held and led by people acceptable to the subgroup

23. Timely disclosure of relevant information on the proposed project to IP, to be done in a form and language(s) understandable to them, is also mandatory. In the case of the IPP and other detailed documents, relevant information to be disclosed to the affected IP could be reported in abbreviated form. Such documents would include key findings and provisions, and could be provided as brochures written in clear local language, describing the benefits and mitigation measures to be taken, including contact information for grievances and further project information.

## **VI. GRIEVANCE REDRESS MECHANISM**

24. The DOW will establish a mechanism to receive and facilitate resolution of the affected Indigenous Peoples communities' concerns, complaints, and grievances. Common grievance redress mechanism will be followed as with the SHHIP'S LARF. Key provisions on setting-up the Grievance Redress Mechanism (GRM) as specified in the LARF are as follows:

- As much as possible solve problems locally with the help of trained community relations officers of the Design and Supervision Consultant (DSC) and social safeguards, using customary way of problem solving. The safeguards officers will facilitate communication between the affected persons, tribal chiefs and leaders where required and the PMO, and also between the PMO, the DSC, and the contractors where relevant.
- Recognition of written and oral complaints by the affected persons with assistance from SHHIP community relations officers and/or safeguard officers in registering complaints and proper record keeping and registry of all the complaints with details on who dealt with the complaints, the date it has been resolved, the date when the complainant has been informed of the decisions and the manner it has been conveyed.
- Grievance redress committee (GRC) will be established in each province for hearing and resolving complaints that cannot be resolved at the local level. The provincial GRC will handle environmental, land, resettlement, compensation and other social related grievances. The committee shall be composed of: the District Administrator, the LLG Council President, DOW (represented by the safeguards staff at the PMO, and the Community Relations Officer at the relevant site, and a representative from civil society. DOW Survey and Lands Branch at national headquarters, and/or the Department of Lands and Physical Planning (DLPP) will be involved, as appropriate.
- Where no resolution is possible at the GRC level, legal cases will be referred to the PNG courts.
- The APs can make complaints without paying any fees. All complains will be treated in transparent and confidential manner free from any retribution.

25. To ensure that the GRM will cater more to the IPs the following principles will be adhered: (i) the scale and complexity of a GRM should be proportionate to the potential adverse impacts, as determined by the project social impact assessment; (ii) involving the affected communities in seeking solutions to the complaints; (iii) accessibility in terms of the physical location of the contact person, affected communities' access to transportation and roads, their literacy, language proficiency and education levels and access to conventional communication infrastructure; (iv) design of a GRM should take account of cultural attributes of IP and their traditional mechanisms for raising and resolving issues; (v) grievances received and responses provided should be documented and reported back to the affected communities promptly; (vi) with organizational structure characterized by clear lines of authority and responsibility for community liaison and grievance resolution and (vii) will not impede access with country's judicial country system.

26. The procedure of grievance redress will be incorporated in the project information pamphlet to be distributed prior to implementation. Participatory consultation with affected households will be undertaken during project planning and implementation stages.

## **VII. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT**

27. Institutional and implementation arrangements will be common for both SHHIP's LARF and IPPF with Department of Works having the overall responsibility in safeguards including

ensuring implementation of IPP where it is required. Both the DOW's Survey and Land Branch, as well as an Environment and Social Safeguards Unit (ESSU) based in Moresby, may assist with land and as well as social related issues, but for the day-to-day SHHIP operations, DOW will establish a PMO in Goroka.

28. The PMO will have the daily responsibility for the implementation of SHHIP's social safeguards including those related to impact on dignity, human rights, livelihood systems, or culture or affects the territories or natural or cultural resources that IPs own, use, occupy, or claim as their ancestral domain. The screening for IP impacts, conduct of social assessment and preparation of IPP, if required, in accordance with the IPPF will also be part of the responsibility of the PMO. SHHIP will engage a group of consultants to provide technical expertise and assistance including an international social safeguards specialist with experience in land and resettlement and indigenous peoples; (ii) two national social development/resettlement specialists; (iii) an international social development and gender specialist; and (iv) a national community development specialist.

29. The monitoring of safeguards compliance during civil works will be assisted by the national and international safeguard specialist under the DSC. This includes compliance with the IPP to be prepared by the PMO safeguards staff, who are responsible for ensuring it is compliant with PNG national and ADB's safeguard requirements. During the pre-construction phase, the DSC will ensure that social issues that need to be addressed by the design engineers are considered. Following award of the contract, the DSC safeguards specialists will provide social safeguards induction for the contractor, if required. They should ensure that the contractor has access to the social assessments of the subprojects, and advise them of their responsibilities to mitigate social impacts and ensure culturally sensitive interaction with the local communities.

30. The Provincial, District and LLG Administration will also participate in all consultations with local communities, affected people and other stakeholders not only involving land related and compensation issues but as well as any social issues which may have adverse impacts to tribes and clans.

## **VIII. MONITORING AND REPORTING ARRANGEMENTS**

31. The implementation of the IPP will be monitored by the DOW, through the safeguards staff in the PMO. The monitoring indicators, including appropriate monitoring formats will be prepared for each tranche where required and will be determined during IPP preparation and implementation.

32. Drawing from PNG projects, several indicators or topics for monitoring and evaluation of IPP are (i) process of consultation activities; (ii) appropriateness of affected assets valuation and compensation disbursement and assessment of adverse impacts which need to be mitigated; (iii) implementation of relevant safeguards activities; (iv) current condition of social, cultural, political and economic status of IPs in comparison with pre-project condition; (v) status of vulnerable people as identified in the social impact assessment; (vi) any disadvantaged conditions to IPs that were not anticipated during the preparation of IPP that required corrective actions; and (vii) grievance redress issues.

## **IX. BUDGET AND FINANCING**

33. All costs for the implementation of IPP where required in SHHIP's succeeding tranches will be financed by the DOW, from the GoPNG's counterpart contribution to this MFF. The costs for each tranche will be estimated during feasibility study based on interviews with community members and relevant government officials. This will be updated after the detailed survey and investigation as well as further consultations with APs. The IPP budget will also include costs for

### Indigenous Peoples Impact Screening Checklist

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?				
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				
6. Do such groups speak a distinct language or dialect?				
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?				
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?				
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)				

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?				
<b>C. Identification of Special Requirements</b> <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?				
14. Physical displacement from traditional or customary lands?				
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?				
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?				
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?				

**D. Anticipated project impacts on Indigenous Peoples**

<b>Project component/ activity/ output</b>	<b>Anticipated positive effect</b>	<b>Anticipated negative effect</b>
<b>1. LIST ALL PROJECT COMPONENT / ACTIVITY / OUTPUTS HERE</b>	<b>---- INDICATE EFFECTS TO IPS OR PUT N/A AS NECESSARY</b>	
<b>2.</b>		
<b>3.</b>		
<b>4.</b>		
<b>5.</b>		

Note: The project team may attach additional information on the project, as necessary.



## OUTLINE OF AN INDIGENOUS PEOPLES PLAN

The level of detail and comprehensiveness of an IPP will be commensurate with the significance of potential impacts on IPs. The substantive aspects of this outline will guide the preparation of IPPs, although not necessarily in the order shown.

**A. Executive Summary of the Indigenous Peoples Plan.** This section concisely describes the critical facts, significant findings, and recommended actions.

**B. Description of the Project.** This section provides a general description of the project; discusses project components and activities that may bring impacts on Indigenous Peoples; and identify project area.

### **C. Social Impact Assessment**

This section:

- i) reviews the legal and institutional framework applicable to Indigenous Peoples in project context.
- ii) provides baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- iii) identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples at each stage of project preparation and implementation, taking the review and baseline information into account.
- iv) assesses, based on meaningful consultation with the affected Indigenous Peoples communities, the potential adverse and positive effects of the project.
- v) Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- vi) includes a gender-sensitive assessment of the affected Indigenous Peoples' perceptions about the project and its impact on their social, economic, and cultural status.
- vii) identifies and recommends, based on meaningful consultation with the affected Indigenous Peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project

### **D. Information Disclosure, Consultation and Participation**

This section:

- i) describes the information disclosure, consultation and participation process with the affected Indigenous Peoples communities that was carried out during project preparation;
- ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected Indigenous Peoples communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- iv) describes consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples participation during implementation; and
- v) confirms disclosure of the draft and final IPP to the affected Indigenous Peoples communities.

#### **E. Beneficial Measures**

This section specifies the measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, and gender responsive.

#### **F. Mitigative Measures**

This section specifies the measures to avoid adverse impacts on Indigenous Peoples; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected Indigenous Peoples groups.

#### **G. Capacity Building**

This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address Indigenous Peoples issues in the project area; and (b) Indigenous Peoples organizations in the project area to enable them to represent the affected Indigenous Peoples more effectively.

#### **H. Grievance Redress Mechanism**

This section describes the procedures to redress grievances by affected Indigenous Peoples communities. It also explains how the procedures are accessible to Indigenous Peoples and culturally appropriate and gender sensitive.

#### **I. Monitoring, Reporting and Evaluation**

This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the IPP. It also specifies arrangements for

participation of affected Indigenous Peoples in the preparation and validation of monitoring, and evaluation reports.

#### **J. Institutional Arrangement**

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the IPP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the IPP.

#### **K. Budget and Financing**

This section provides an itemized budget for all activities described in the IPP