



# Resettlement Plan

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## Timor-Leste: Baucau to Viqueque Highway Project

Prepared by the Government of Timor-Leste for the Asian Development Bank.

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**List of Abbreviation**

ADB	:	Asian Development Bank
AF	:	Affected Family
AH	:	Affected Household
AP	:	Affected Person
DLPCS	:	Directorate of Land, Property and Cadastral
DMS	:	Detailed Measurement Survey
DRBFC	:	Directorate of Roads, Bridges, and Flood Control
EA	:	Executing Agency
ESU	:	Environmental and Social Unit
GRC	:	Grievance Redress Committee
IA	:	Implementing Agency
IOL	:	Inventory of Losses
IPDP	:	Indigenous People Development Plan
ADB	:	Asian Development Bank
MOF	:	Ministry of Finance
MOI	:	Ministry of Infrastructure
MOJ	:	Ministry of Justice
MPWTC	:	Ministry of Public Works, Transport and Communication
NGO	:	Non-Government Organization
PISC	:	Project Implementation and Support Consultants
PMU	:	Project Management Unit
RF	:	Resettlement Framework
RNUSP	:	Road Network Upgrading Sector Project
ROW	:	Right of Way
RP	:	Resettlement Plan
SPS	:	Safeguards Policy Statement
TLCLS	:	Timor-Leste Survey of Living Standards

## Glossary

Affected Household/Family	All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project or any of its components; It may consist of a single nuclear family or an extended family group.
Affected Person	Individuals that are affected by the project through land acquisition, relocation, or loss of income; includes any person, household [sometimes referred to as project-affected family (AF)], firms, public or private institutions; The APs, therefore, include (i) persons whose agricultural land or other productive assets such as trees or crops are affected, (ii) persons whose businesses are affected and who might experience loss of income due to the project's impact, (iii) persons who lose work/employment as a result of the project's impact, and (iv) people who lost access to community resources/property as a result of the project.
Assistance	Support, rehabilitation, and restoration measures extended in cash and/or kind over and above the compensation for lost assets
Compensation	Payment in cash at the current market value or in kind for an asset or a resource that is obtained or affected by a project, in which, the affected people are entitled to in order to replace their lost property or income
Cut-off date	The date after which people will not be considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey.
Detailed Measurement Survey	The detailed inventory of losses that is completed after the detailed design and marking of project boundaries on the ground
Encroachers	People who move into the project area after the cut-off date are therefore ineligible for compensation or other rehabilitation measures provided by the project. The term also refers to those extending attached private land into public land.
Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income restoration assistance, transfer assistance, income substitution, and relocation, depending on the type and degree/nature of the losses of the APs in order to restore their social and economic base
Inventory of Losses	The pre-appraisal inventory of assets as a preliminary record of affected or lost assets
Land Obtaining	Purchase of land for the project through negotiated settlement until the expropriation law is passed
Non-titled	People who have no recognizable rights or claims to the land that they are occupying. It includes people using private or

	state land without permission, permit or grant, i.e., people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.
Project	The Road Network Upgrading Sector Project funded by ADB
Rehabilitation	Compensatory measures provided under the policy framework on involuntary resettlement other than the payment for the replacement cost of obtained assets
Relocation	Displacement or physical movement of the APs from the affected area to a new area/site and the rebuilding of homes, infrastructure, provision of assets, including productive land/employment, and the re-establishment of income, livelihood, and living, and social systems.
Replacement Cost	<p>Replacement cost is the amount needed to replace an asset and is the value determined as compensation for the following:</p> <ul style="list-style-type: none"><li>.Agricultural land at the pre-project or pre-displacement level, whichever is higher and is the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes;</li><li>.Land in urban areas: it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;</li><li>.Houses and other related structures based on the current market price of materials, transportation of materials to construction sites, cost of labor and contractor's fee, and any cost of registration and transfer taxes. In determining the replacement cost, depreciation of assets and value of salvaged building materials are not taken into account. No deductions are made for the value of benefits to be derived from the project;</li><li>.Crops, trees, and other perennials based on current the market value; and other assets (i.e., income, cultural or aesthetic) based on the replacement cost or cost of mitigating measures.</li></ul>
Replacement Land	The land affected by the project that is compensated through provision of alternative land of the same size rather than cash. Productive capacity as land lost which is acceptable to the AP
Resettlement	All impacts associated with the loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms.
Significant Impact	If 200 or more people experience major impacts, which are defined as: (i) being physically displaced from housing, or (ii)

	losing 10% or more of their productive assets (income generating assets)
Squatters	Same definition as non-titled; include households, businesses and common establishments on land owned by the State.
Structures	All buildings including the primary and secondary structures such as houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls
Vulnerable	Individuals who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement including : (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households that fall on or below the poverty line (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; and (vii) households of indigenous population or ethnic minority.



### **Notes**

- iii. The fiscal year (FY) of the Government of Timor-Leste and its agencies ends on 31 December 2015. The FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY 2015 ends on 31 December 2015.
- iv. In this report, "\$" refers to US dollars.

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## Executive Summary

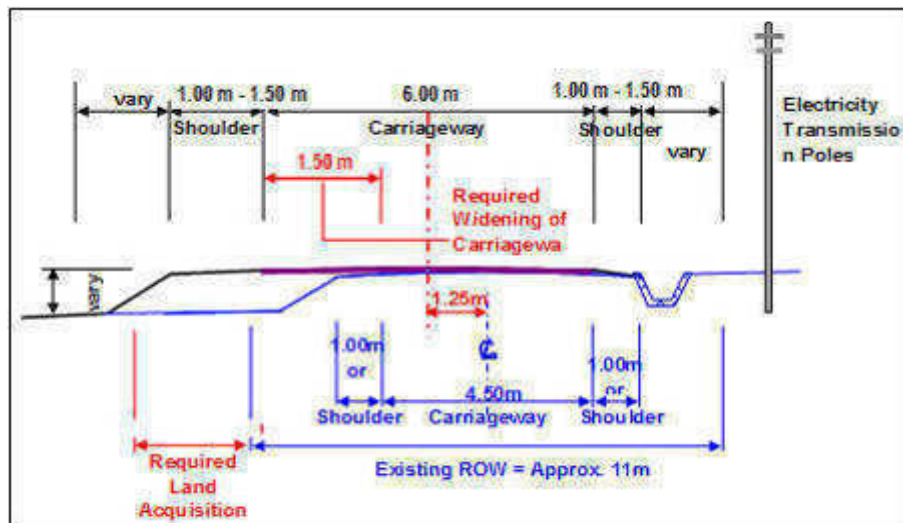
14. Timor-Leste has begun rebuilding its national infrastructures after years of suffering from conflict and underdevelopment. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and is also a mean to reduce poverty in the country. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has planned to upgrade the 169 km National Road under the Road Network Upgrading Sector Project, with financial support (Loan) from the Asian Development Bank (ADB). The 169 Km of road will be divided into 5 sections as follows; Baucau to Laga (A01-03) about 20 km, Laga to Com (A01-04) about 59 km, Lautem to Lospalos (A08-04) about 27.8 km, Baucau to Venilale (A06-01) about 26 km and Venilale to Viqueque (A06-02) about 35 km. This 169 km National Road under the Road Network Upgrading Sector Project will cover 3 Districts in the eastern part of the country (Baucau, Viqueque and Lautem).

15. This Resettlement Plan report will refer to the National Road Upgrading Project of the Venilale-Viqueque Section with a length of about 35 km. It is a road strategically placed to link the districts of Baucau and Viqueque, which may further help to improve the area's business transactions activity in the future.

16. The Ministry of Finance (MOF) is the project executing agency (EA) and the Ministry of Public Works, Transport and Communication (MPWTC) is the project implementing agency (IA). Project implementation works will be managed by the MPWTC through its existing Project Management Unit (PMU), supported by the Project Implementation and Support Consultants (PISC).

17. The physical implementation of improvement works include the widening of the existing road to achieve a width of 10-12 m, with a 6 m wide carriageway and 1-2 meters wide shoulder on each side.

**Figure 11-1 The Typical Road section**



18. The improvement works shall also include drainage construction/rehabilitation. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some

compromise on reducing the embankment width even to 2 m at certain sections of the tortuous stretch. However, it will inevitably be necessary to acquire land and other assets for the widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present Resettlement Plan (RP) has been formulated in conformity with ADB's safeguard requirements on involuntary resettlement; adhering to the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Sector Project.

19. There were a total number of 41 affected households composed of 191 affected persons (APs) assessed. A combined census and socioeconomic survey carried out within the month of October 2015 shows that the project will affect; 11 Residential structures<sup>18</sup> and 4 Business structures<sup>19</sup> with a combined area of 502.88 m<sup>2</sup>. The project will have to acquire about 1,043.60 m<sup>2</sup> of land and about 492 trees of different kinds along either side of the embankment. A summary of impact is presented in Table 1-1.

**Table 11-2 Summary of Impact**

No	Impact Category	Type of Affected Assets	Number/Area of Impact		
			No.	Area	
1	Affected structure	a. Permanent	2	95.22	Sqm
		b. Semi-Permanent	5	287.78	Sqm
		c. Temporary	8	119.88	Sqm
		<b>Total Affected Structure</b>	<b>15</b>	<b>502.88</b>	<b>Sqm</b>
2	Affected Land Area	a. Agriculture land	6	1043.6	Sqm
		<b>Total Affected Land</b>	<b>6</b>	<b>1043.6</b>	<b>Sqm</b>
3	Affected Trees	a. Timber trees	121	-	Trees
		c. Fruit trees	371	-	Trees
		<b>Total Affected Trees</b>	<b>492</b>	-	<b>Trees</b>
4	Affected Crop	<b>Total Affected Crop</b>	<b>596.29</b>		<b>Kg</b>
5	Affected Public Utilities	a. Water pipeline (Crossing)	30	450	Meters
		b. Water pipeline (Along side)	-	5,000	Meters
		c. Concrete Electric Pole (Single)	67	-	Unit
		d. Water reservoir	1	-	Unit

20. An update of the RP through a validation survey will be undertaken to reassess if there are additional impacts since 2016 when the RP has been first drafted. Cadastral surveys will be conducted as part of this process. Accordingly, the impacts may have to be revised and updated.

21. The cut-off date under the project is the date after which people will not be considered eligible for compensation, i.e., they will be included in the list of APs as defined by the census (IOL). The cut-off date under the project has been set as on 25 September 2015. This will be further revised based on the start of the validation survey. The PMU/MPWTC will inform the

<sup>18</sup> Residential structures refer to structures like; house, kitchen and toilet

<sup>19</sup> Business structure refer to; kiosk and stall

local communities about the cut-off date. People who move into the area after the cut-off date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses: (i) those with titles of land recognized on a legal basis; (ii) those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP; and (iii) those who have no legal rights or claims to the land they are occupying before the cut-off date.

22. The RP is based on ADB's Safeguard Policy Statement (SPS) as well as Timor-Leste's applicable domestic policy instruments and laws. The RP is in line with the provisions of the RF approved by the MPWTC, Government of Timor-Leste and in compliance with ADB safeguards policy. The PMU/MPWTC will ensure that the APs receive the full replacement cost for the loss of their land and other fixed assets, (houses, other structures) including crops, and trees based on current market prices. The APs with recognizable land rights/claims will receive fair compensation/price at replacement rate for their land, those without such rights will be compensated for assets attached to the land that they occupy, such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their livelihood and income if they will experience permanent loss of their income sources. APs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistances. Vulnerable persons and women-headed households will qualify for special assistance. Getting consent from affected persons (through negotiation if required) has been the practice in acquiring or affecting assets in the country which will be adopted by the project as much as possible. An entitlement matrix is presented in Table 2 below.

23. After approval of the updated RP by MPWTC and ADB, a summary of the final resettlement plan along with the entitlement matrix (including the list of APs) will be translated into local language (Tetum/Portuguese) and will be disclosed by the MPWTC to stakeholders, and affected persons. This will be presented in the form of a booklet/brochure (refer to Appendix C) to enable the APs and local communities to be aware of the project's benefits/compensations that are available for the APs, as per provision in the entitlement matrix. MPWTC field staff/consultant will distribute brochures through suco meetings and will explain the mechanisms and procedures and overall process of the compensation program. The RP will be made available as an official public document in the MPWTC field offices, the Directorate of Land Property and Cadastral Survey (DLPCS) office, offices of district and sub-district administrators, and offices of the suco chiefs and aldeia leaders. The RP and any further will also be disclosed on the ADB and MPWTC websites.

**Road Network Upgrading Sector Project**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A06-02: Venilale-Viqueque

**Table 2 Project Entitlement Matrix**

Type of Loss	Entitled Persons	Details of Entitlements	Responsibility
1a. Permanent loss of homestead, commercial and Agriculture land	Title holders/ recognized or recognizable claims under national laws	<ul style="list-style-type: none"> <li>Cash compensation for the loss of land at fair negotiated price (\$10/sq. meter for productive land and \$8/sq. meter for non-productive land)<sup>20</sup></li> <li>Subsistence allowance at \$100 per month<sup>21</sup>, for 3 months if the residual agriculture land is not viable (land acquired is 75% or more of the total land holding of the title holder)</li> <li>Subsistence allowance at \$100 for one month if residual agriculture land is viable</li> <li>All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project</li> <li>Additional compensation for vulnerable households (item 5)</li> <li>60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided. Refer to item 4 for other applicable compensation</li> </ul>	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
1b. Permanent loss of homestead, commercial and Agriculture land	Tenants and leaseholders	<ul style="list-style-type: none"> <li>Cash compensation at \$ 200 of up to 6 months of land lease<sup>22</sup></li> <li>60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided</li> <li>Additional compensation for vulnerable households (item 5)</li> </ul>	
Temporary Loss of Land during construction	Landowners/Lessee	<ul style="list-style-type: none"> <li>As per contractor's responsibility reflected the construction methodology of the contract</li> </ul>	Responsibility of the contractor with assistance/oversight from PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.

<sup>20</sup> Based on the recommendation of DLPCS as per the ongoing land transaction in the area and agreed with the affected communities.

<sup>21</sup>Based on consultation with the affected communities.

<sup>22</sup> Based on agreed amount with affected persons during consultation

**Road Network Upgrading Sector Project**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

2a. Permanent loss of residential/commercial structures other than kiosks and stalls	Owners of structure	<ul style="list-style-type: none"> <li>Cash compensation equivalent to replacement value of structure (or part of structure) without depreciation and construction cost equivalent to 25% of the construction materials</li> <li>Subsistence allowance of \$100/month of up to 3 months for affected residential structure who do not own the land e.g. Informal settlers/squatters/non-tilted APs</li> <li>Compensation for income loss equivalent to average monthly income for 2 months for semi-permanent and 3 months for permanent commercial structure</li> <li>Transportation allowance equivalent to minimum of \$ 100</li> <li>Right to salvage materials from the demolished structure without deduction from their compensation</li> <li>Additional compensation for vulnerable households (item 5)</li> </ul>	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
3.a. Income from business	Business owners, vendors (permanent, semi-permanent and temporary kiosks)	<ul style="list-style-type: none"> <li>Cost of the materials and reconstruction of the affected structure ensuring that safe location will be made available if required for the new structure</li> <li>Transitional allowance equivalent to average monthly income for two months to compensate for loss of business<sup>23</sup></li> <li>If required, transportation allowance equivalent to \$100</li> <li>Salvaged of materials which are free of cost</li> <li></li> </ul>	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.
3.b.	Business owners, vendors ( stalls)	<ul style="list-style-type: none"> <li>One time lump sum of \$50 dollars for income disruption</li> <li>Cost of the materials and reconstruction of the affected structure</li> <li>Additional compensation for vulnerable households (item 5)</li> </ul>	

<sup>23</sup> Assessment shows that it will take maximum two months to rebuild structures.

**Road Network Upgrading Sector Project**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

4a. Loss of crops	Claimant of the affected crops	<ul style="list-style-type: none"> <li>Provision of 60 days notice to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price</li> <li>Provision of seeds for next cropping season</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
4b. Loss of trees	Claimant of the affected trees	<ul style="list-style-type: none"> <li>Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 3 years</li> <li>Cash compensation equivalent to prevailing market price of timber for non-fruit trees</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
4c. Loss of paddies	Claimant of the affected paddies	<ul style="list-style-type: none"> <li>Compensation for rice paddies equals to the market value of its annual yield for three years</li> <li>Provision of seeds for next cropping season</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
5. Impact on vulnerable APs	Vulnerable and women-headed households identified by IOL	<ul style="list-style-type: none"> <li>Additional subsistence allowance equivalent at \$100 for 3 more months for loss of land or structure</li> <li>Landless/vulnerable APs will be assisted to find an alternative land/plot</li> <li>One-time rehabilitation grant in the form of productive assets(e.g. seeds and planting materials) for loss of agriculture income</li> <li>Vulnerable households will have priority in any employment required for the project</li> </ul>	PMU with assistance of local authorities and community leaders
Unforeseen impact	Concerned persons affected	Unforeseen impacts will be documented and mitigated based on the government, ADB SPS (2009) safeguards policy	PMU identifies and mitigates impacts as required.

24. It is important to deal effectively with APs' concerns pertaining to resettlement impacts such as compensation, rehabilitation, and delays in payment. To ensure this, a simple, accessible, transparent, and effective grievance redress system will be established.

25. The PMU under the MPWTC will have overall responsibility for implementing the project. An Environmental and Social Unit (ESU) has been established in the PMU to plan and implement land purchase and resettlement, train counterpart staff, and monitor resettlement in the project. The ESU is staffed by a national social safeguards specialist and an international social safeguards specialist in-charge of resettlement activities. If the situation demands, PMU will engage an experienced NGO, active in the project area, to assist in dealing with the process of consultation, negotiating compensation, and resolving disputes.

26. The PMU will work with the MOJ/DLPCS in the valuation of property in order to ensure appropriate compensation. A Valuation Specialist will be hired if required. The Ministry of Justice, i.e., DLPCS, will work with the PMU to conduct cadastral surveys for the lands to be acquired. It shall also prepare valuation tables as provided under the Expropriations Act. The PMU will ensure such values conform with the ADB's social safeguard policy that requires compensation at full replacement cost for all affected assets. If the statutory compensation under the Act falls short, then PMU will provide additional funding to "top up" the compensation as required.

27. All costs associated with land purchase and resettlement will be provided by the government. The entire resettlement for the road improvement project is estimated at \$182,647.15 out of which \$166,042.87 is for direct resettlement expense while the rest is kept for staff training, internal monitoring, administrative expenses and contingency expenses. This cost will be revised if required based on the validation survey to be undertaken.



## **CHAPTER 12 INTRODUCTION**

### **12.1 Background**

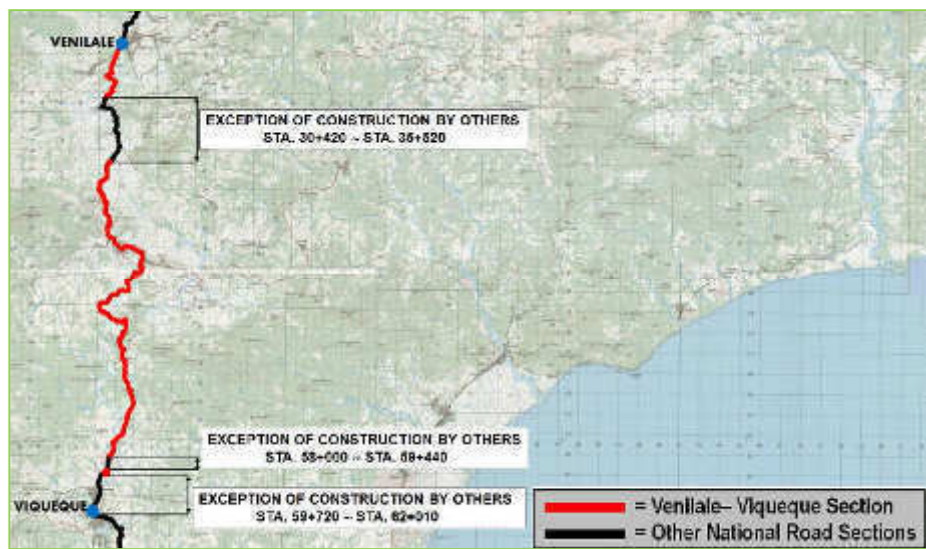
1. Timor-Leste has begun rebuilding its national infrastructures after years of suffering from conflict and underdevelopment. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and is also a mean to reduce poverty in the country. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has planned to upgrade the 169 km National Road under the Road Network Upgrading Sector Project, with financial support (Loan) from the Asian Development Bank (ADB). The 169 Km of road will be divided into 5 sections as follows; Baucau to Laga (A01-03) about 20 km, Laga to Com (A01-04) about 59 km, Lautem to Lospalos (A08-04) about 27.8 km, Baucau to Venilale (A06-01) about 26 km and Venilale to Viqueque (A06-02) about 35 km. This 169 km National Road under the Road Network Upgrading Sector Project will cover 3 Districts in the eastern part of the country (Baucau, Viqueque and Lautem)
2. This Resettlement Plan report will refer to the National Road Upgrading Project of the Venilale-Viqueque Section with a length of about 35 km. It is a road strategically placed to link the districts of Baucau and Viqueque, which may further help to improve the area's business transactions and tourism activity in the future.
3. The strategy for the project is to minimize land requirements by confining the project's construction works within the existing road corridor to the extent possible. However, it will inevitably be necessary to acquire some land and other assets for the widening and raising of road embankments which will cause involuntary resettlement impacts. To address these resettlement impacts, this Resettlement Plan (RP) for the Venilale-Viqueque section has been based on the impact survey, census, socioeconomic survey of the affected persons (AP), as well as consultations with the AP population and various stakeholders. The physical implementation of improvement works includes the widening of the existing road to achieve a width of 8-10 m, 6 m wide carriageway, and 1-2 m wide shoulder on each side.
4. The improvement works will also include drainage construction. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 2 m at certain sections of the road stretch. To address these resettlement impacts, the present Final Resettlement Plan (RP) has been formulated in conformity with ADB's safeguard requirements on involuntary resettlement under the Safeguard Policy Statement, adhering to the resettlement principles and procedures outlined in the Resettlement Framework (RF), adopted by the Government of Timor-Leste for the Road Network Upgrading Project.
5. The Ministry of Finance as the project executing agency and the Ministry of Public Works, Transport and Communication (MPWTC) as the implementing agency will follow the RF principles and procedures to comply with the Government's applicable laws and regulations and relevant policies of ADB. The objectives are as follows: (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring alternatives; (iii) enhance or at least restore the living standards of APs; and (iv) improve the living standards of the poor and vulnerable APs.
6. Land acquisition and resettlement for the project will be carried out in compliance with

the ADB's safeguards policy for acquiring land and other assets. Cadastral surveys will be conducted as part of this process and impacts will be reassessed. Consequently, the estimates in the summary of impact may have to be revised and updated.

## 12.2 Project Description

7. The Venilale-Viqueque road section, with a length of about 35 km, is a continuous section of the major national route between Baucau, Venilale and Viqueque section. The road then with continuous stretch feeds into the Same road section. The road lies within the geographic coverage of the two Sub districts, Venilale and Viqueque. Project Location Map is presented in Figure 1-1.

**Figure 11-2 Project Location Map**



8. Physical implementation of improvement works includes widening of the existing road to achieve a width of 8 to 10 meters on the flat sections and a width of 10 to 12 meters on the ridget or hillside section, consisting 6 meters wide of carriageway and 1 to 2 meters wide shoulder on each side. The improvement works will also includes construction of drainage, cross pipe/box culvert and stone masonry retaining wall. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 2 m at certain sections of the road stretch. However, it will inevitably be necessary to acquire some land and other assets for the widening and raising of the road embankment which will cause involuntary resettlement impact.

## 12.3 Objectives of RP

9. This RP attempts to define the practical procedures by which the Implementing Agency (IA) will be able to obtain the required land and property from the APs and address the potential resettlement impacts to be incurred by the project. The RP shall be in line with the applicable policy and legal framework of the government, ensuring that the principles of the ADB's policies on involuntary resettlement are applied. In this process, the primary objectives

of the RP are as follows: (i) identify the project impact on the community in terms of loss of land and other assets, as well as impact on livelihood and income; (ii) outline measures to mitigate its adverse impacts; (iii) provide an estimate for budgetary allocation for compensation of loss of assets and resettlement benefits; and (iv) provide procedure for the monitoring of resettlement implementation.

10. The impacts are documented in the RP, corresponding to the available engineering design of the road alignment as of September 2015. It includes inventory of all the APs who experienced the actual magnitude of impact on their land and other properties, together with compensation for their losses. This RP will be further updated based on a validation survey to re-assess/reconfirm the impact.

## **12.4 RP-Related Conditions**

11. Project implementation works will be contingent in the compliance with the following conditions:
- Approval of this RP and updated RP by the Government of Timor-Leste and ADB;
  - Full disclosure of this RP and any succeeding updates to the public;
  - Full implementation of the compensation program described in this RP including the full delivery of compensation to the APs;
  - Grievance Redress Mechanism is in place; and
  - 'No objection' by ADB for the commencement of physical works.

## **CHAPTER 13 SCOPE OF LAND RESETTLEMENT**

### **13.1 Scope and Rationale for Land Acquisition/Resettlement**

12. Upgrading Project for Venilale-Viqueque section will follow the road's existing alignment to the maximum extent possible to minimize resettlement impacts. The road upgrading works will consist of earthworks which include road widening at areas where it is considered absolutely necessary, retaining structures, drainages, bridges and pavements.
13. The road will be upgraded to all weather, asphalt-surfaced standard that will enable it to carry loaded container trucks as a minimum. Upgrading of the road will affect structures, small roadside businesses, trees (both fruit and timber), and cash crop plants like rice paddy. A total of 41 households will be affected by the project. In order to understand the adverse social and resettlement impacts of the project interventions, an inventory of losses (IOL) i.e. 100% census combined with socio-economic survey was carried out in October 2015. This survey was intended to develop the baseline for socio-economic status of the households likely to suffer from project implementation. A structured questionnaire (Appendix B) was used to collect details of the affected Households (AHs).

### 13.2 Measures to Minimize Land Acquisition Impact

14. Initially, the proposed widening of the road involved major impacts on land, structure, trees, and other assets. In the subsequent efforts to avoid and minimize resettlement impacts to the maximum extent possible, the project adopted the following strategy:

- Road adjusting within the available government-owned lands;
- Paying careful attention to the detailed design of the road to stay close to the existing alignment as far as possible in order to avoid land acquisition impact;
- Realigning of the embankment to avoid existing structures or built-up areas if possible; and
- Paying careful attention to the detailed alignment in the vicinity of sensitive cultural features in order to avoid impacts upon them.

### 13.3 Summary of Impacts

15. The project has carried out an extensive exercise to minimize adverse resettlement impacts which resulted to only 41 affected households in terms of their structure, land, business and trees. The total number of APs has been estimated at 191. A total of 16 AHs or 65 APs will experience major impacts from physical and economic displacements. An area of about 1,043.6 m<sup>2</sup> of land and 502.88 m<sup>2</sup> of structure will be affected by the project. As much as 492 trees will be affected. Also, there will be 1,043.6 m<sup>2</sup> of rice paddy farming area that will be affected by the project with a total of 340.7 kg of loss in harvest. Table 2-1 summarizes the whole resettlement impact of the project. The subsequent sections of this chapter details the losses in each category.

16. There are 3 types of public utilities and will be affected by this project namely, About 5,450 linear meters of water pipelines, 67 units of Concrete Electricity Poles and 1 water reservoir. The replacement cost or tranfering cost for these affected public utilities and sacred objects will be included in the provisional sum of the project cost.

**Table 11-3 Summary of Impact**

No	Impact Category	Type of Affected Assets	Number/Area of Impact			Number of Affected Households (Affected Persons)
			No.	Area		
1	Affected structure	a. Permanent Residential	2	95.22	Sqm	2 AHs (10 APs)
		b. Semi-Permanent Residential	5	287.78	Sqm	5 AHs (21 APs)
		c. Temporary*	8	119.88	Sqm	8 AHs (14 APs for residential and 16 APs for business)
		<b>Total Affected Structure</b>	<b>15</b>	<b>502.88</b>	<b>Sqm</b>	
2	Affected Land Area	a. Agriculture land	6	1043.6	Sqm	6 AHs (28 APs)
		<b>Total Affected Land</b>	<b>6</b>	<b>1043.6</b>	<b>Sqm</b>	
3	Affected Trees	a. Timber trees	121	-	Trees	
		c. Fruit trees	371	-	Trees	

### Road Network Upgrading Sector Project

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		<b>Total Affected Trees</b>	<b>492</b>	-	Trees	21 AHs (105 APs)**
4	Affected Crop	<b>Total Affected Crop</b>	<b>340.7</b>		Kg	
5	Affected Public Utilities	a. Water pipeline (Crossing)	30	450	Meters	
		b. Water pipeline (Along side)	-	5,000	Meters	
		c. Concrete Electric Pole (Single)	67	-	Unit	
		d. Water reservoir	1	-	Unit	

\*This is composed of 4 residential and 4 kiosks

\*\* Affected from removing trees only

## 13.4 Impact Assessment

### 13.4.1 Overview of Impacts and Losses

17. A total of 41 households and 191 affected persons will be affected by the road upgrading project. Of these, 45 people will be affected in terms of residential structures and along with some trees, 16 people in terms of business<sup>24</sup> structure along with some trees, 28 people in terms of land and trees affected and the remaining 105 people will be affected in terms of trees only.

**Table 11-4 Impact on AHs and APs by Location**

Sub-District	No. of AHs	No. of APs	Total area of RES land affected	Total area of AGRI land affected	No. of structures affected
Venilale	31	151	-	1,043.6	7
Viqueque	10	40	-	-	8
<b>Total</b>	<b>41</b>	<b>191</b>	<b>-</b>	<b>1,043.6</b>	<b>15</b>

Source: RNUSP – Baucau – Venilale section IOL (February 2015)

### 13.4.2 Impact on Land

18. A total area of 1,043.6 m<sup>2</sup> privately owned<sup>25</sup> land will be affected by the project. There are 6 households that will suffer from loss of agriculture land, with an average loss of 174 m<sup>2</sup> per household (See table 2-3). The affected residential structures are located on government-owned land.
19. About 100% of AHs were asked about their expectation on the compensation of land. About 90% of respondent expecting to be compensated by cash, 5% expecting to be compensated by job/occupation for their family and the rest 5% have no idea about the compensation and will depend on the government's decision.
20. The type of compensation with inputs from affected persons during interview, public consultation meeting and the inventory of losses are summarized on the entitlement matrix.

<sup>24</sup> It can be kiosk or stall

<sup>25</sup> No legal document of ownership (only claimed).

**Figure 11-3 Pictures of the affected lands**



**Table 11-3 Detailed of Land Affected**

Location and type and area of land affected			AHs			APs		
Sub-district	Type of land	Area affected (m2)	< 9% of AH total area affected	10 - 13% of AH total area affected	Total	< 9% of AH total area affected	10 - 13% of AH total area affected	Total
Venilale	Res	-	-	-	-	-	-	-
	Agri	1,043.6	5	1*	6	24	4	28
	<b>Total</b>	<b>1,043.6</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>24</b>	<b>4</b>	<b>28</b>
Viqueque	Res	-	-	-	-	-	-	-
	Agri	-	-	-	-	-	-	-
	<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\*To be further validated if this comprised 10% or more of the overall income generating assets of the household and to be provided with livelihood restoration if necessary.

### 13.4.3 Impact on Trees

21. A total of 492 trees of different types will be affected (Table 2-4). Among these, 121 are classified as timber trees and 371 fruit trees.<sup>26</sup>
22. The total number of affected trees is expected to change. The final count of these affected trees will be carried out during the validation stage of the RP in order to make sure all of affected trees or plants are 100% accounted for.

<sup>26</sup> 57 fruit-timber trees included in the count.



### Road Network Upgrading Sector Project

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**Table 11-4 Impact on Trees**

Fruit Trees		Timber Trees	
Name	Total	Name	Total
Coconut	13	Teakwood	100
Banana	102	Palm	8
Jambu air	1	Bamboo	13
Lime	23		
Melon	59		
Aidak	9		
Avocado	7		
Papaya	35		
Jackfruit	9		
Guava	27		
Kami'i	29		
Mango	57		
<b>Sub Total</b>	<b>371</b>		<b>121</b>
<b>Total</b>			<b>492</b>

**Figure 11-4 Pictures of the identified affected trees**



#### 13.4.4 Impact on Structures

23. Based on the detail measurement survey and IOL conducted in each project location, there are 15 affected structures with the total of 15 affected households identified. These 15 structures have to be totally removed based upon owner's request because of some safety and security issues although it can just be moved a little back to their own available land. They are mostly semi-permanent and temporary structures (See table 2-5).
24. About 95% of respondent are expecting to be compensated by cash and 5% expecting to be compensated by the structure with the same size and quality. The detail procedures and type of

compensation are summarized on the entitlement matrix.

**Table 11-5 Extent of Impact on Structure**

Category of Structure	No. of Structures	Number of APs	Average Monthly Income from Structure (\$)
Permanent Residential	2	10	-
Semi-permanent Residential	5	21	-
Temporary Residential	4	14	-
Temporary Business	4	16	\$102.50
<b>Total</b>	<b>15</b>	<b>61</b>	<b>\$102.50</b>

Source: RNUSP – Baucau – Venilale section IOL (February 2015)

### 13.4.5 Impact on Income

25. Aside from every other occupation that the majority of the affected households hold, farming has been the main livelihood for most of the affected households identified during the socio-economic survey within the month of October 2015. During the (IOL) the identified numbers of the affected households are 6 households in terms of impact on crops (rice paddy) with estimation of around 340.7 kg or around US\$ 596.29 annual yield loss.

**Table 11-8 Impact on income loss from productive rice paddy**

Sub district	Rice Paddy			
	Affected Area (m <sup>2</sup> )	Estimated Annual Loss in Yield (kg)	Value (\$) <sup>27</sup>	Number of AH
Venilale	1,043.6 m <sup>2</sup>	340.7 kg	\$596.29	6
Viqueque	-	-	-	-
<b>Total</b>	<b>1,043.6 m<sup>2</sup></b>	<b>340.7 kg</b>	<b>\$596.29</b>	<b>6</b>

26. As mentioned earlier, there are 4 roadside businesses establishments which are actually kiosks and stalls operating within the project area.

### 13.4.6 Significance of Impact

27. Major impacts on AHs are identified in this RP. Major impacts include households experiencing displacement or relocation and/or loss of 10% or more of their productive (income generating) assets.
28. A total of 16 AHs and 65 APs will experience major impacts. 4 AHs (16 APs) will experience significant impact on their business income, 1 AH (4 APs) will experience significant impact on their agricultural income and 11 AHs (45 APs) will experience significant impacts on their main structures (house or kiosk) requiring complete re-construction further back on their land.

<sup>27</sup> The value is calculated based on the 2012 national statistic of rice annual yield (3.6 ton/ha), Price per kg rice is \$1.75



**Figure 11-5 Pictures of the Affected Business Structures**



#### **13.4.7 Impact on Public Utilities**

29. Along the road side we can visually see that there are some water pipe lines been installed very close to the road side or even crossing the road in some areas, some of these water pipe lines was installed by the district's water sanitation service and some were provided by the Australian Agency for International Development through the Rural Water Supply, Sanitation and Hygiene (RWASH) program in order to supply water to the community. 5,450 linear meters of total water pipe lines, along with 67 Concrete Electric Poles and 1 water reservoirs will be affected by the project. See table 2-1.

**Figure 11-6 Pictures of the Affected Utilities**



#### **13.4.8 Impact on Sacred Objects**

30. Although total AHs are 100% Christian it didn't prevent them to still believe in some sacred objects but, it has been identified during the survey that there will be no impact on sacred objects in this project.

#### **13.4.9 Gender Impact**

31. Discussions were undertaken with the women and community people to understand the current status and needs of women living in the project area and the potential impact of the project to them. The project is anticipated to benefit women by strengthening connectivity, accelerating new economic opportunities, and reducing poverty which may help contribute to the improvement of the overall quality of life in their area. Impacts associated with communicable diseases, HIV/AIDS and road safety and security will be mitigated and further project benefits to be enhanced through the implementation of the Gender Action Plan.

## **CHAPTER 14 SOCIO-ECONOMIC INFORMATION AND PROFILE**

### **14.1 Working Methodology**

32. A 100% census of the AHs combined with a sample of the socio-economic survey was carried out in October 2015. The census helps provide requisite details on the affected households (AHs), assess the magnitude of impacts, and identify the required measures for mitigation of adverse impacts. Interviews were held with the heads of the AHs and family members at their residences to collect socio-economic information of the affected population. Structured questionnaire (Appendix A) was used to collect details of the affected households.
33. Socio economic information and profile of AHs is analyzed base on the data of 41 AHs. About 5 data were not usable for socio economic due to unavailability of data. Base on in-depth interview taken during survey, these 5 AHs are not living in the same sub district and mostly live outside the sub district.

### **14.2 Demographic Characteristics of AHs<sup>28</sup>**

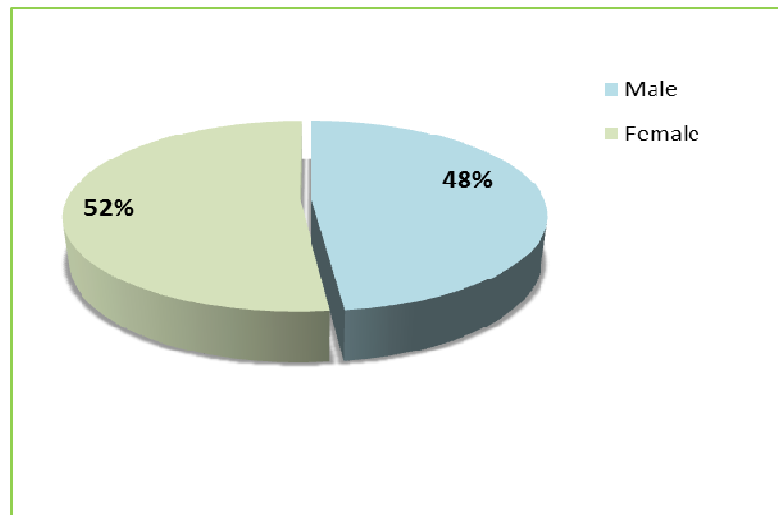
#### **14.2.1 Population of AHs**

34. It has been mentioned earlier that the project will have an impact on a total of 41 AHs and the APs are on a total of 191, of which 92 are male and 99 are female

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<sup>28</sup> Demographic characteristic of AHs analyzed base on the data of 229 AHs

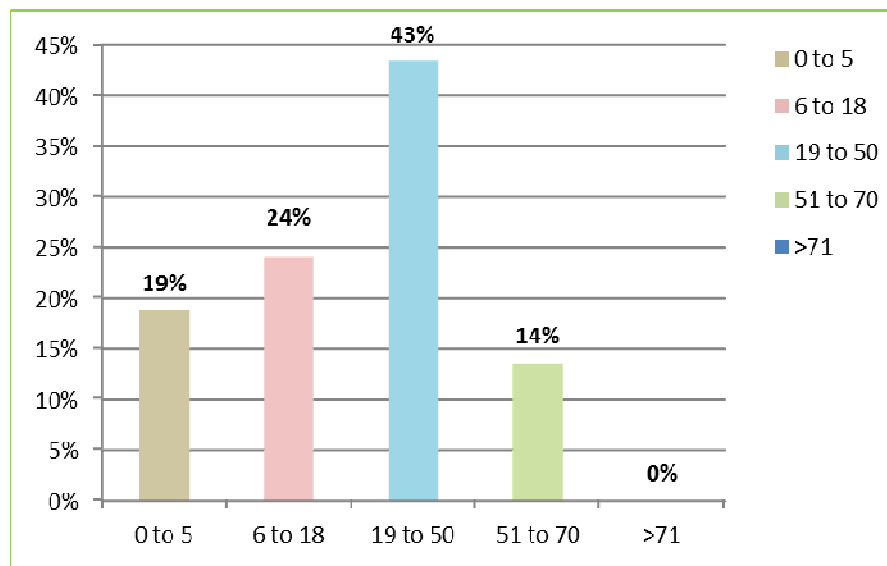
**Chart 11-1 Population of Affected People**



#### 14.2.2 Age of APs

35. As shown in chart 3-2, the majority of the affected population is within the age 19 to 50 which consist 41% of the total APs.

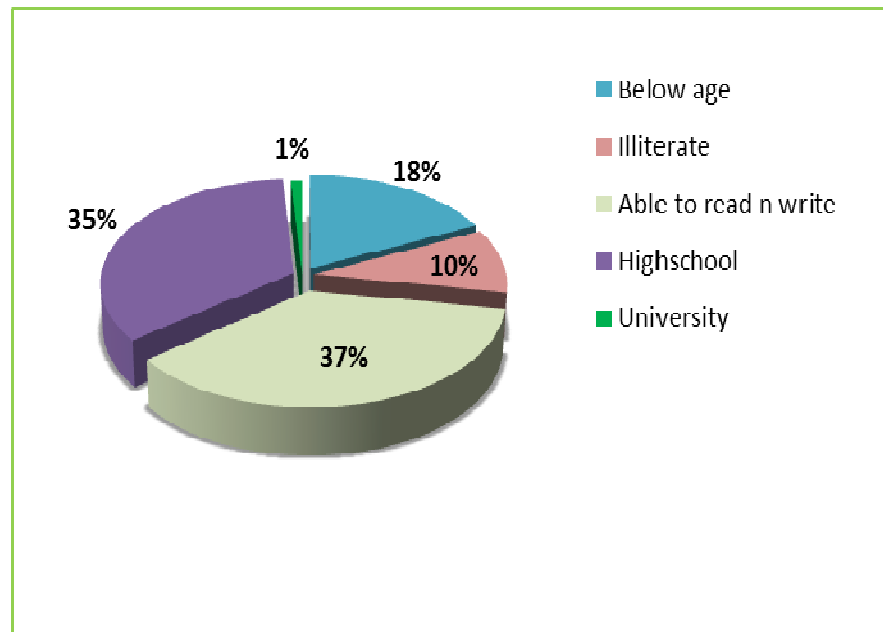
**Chart 11-2 Age Distribution of Affected People**



#### 14.2.3 Education of APs

36. Majority of the APs (73%) are able to read and write, while 28% is under school going age or illiterate. Out of these 73% of APs able to read and write, 37% of APs attended elementary school, 35% reached junior/senior high and 1% is university graduates. See Table 3-3.

**Chart 11-3 Education of Affected People**



#### **14.2.4 Ethnicity & Religion of AHs**

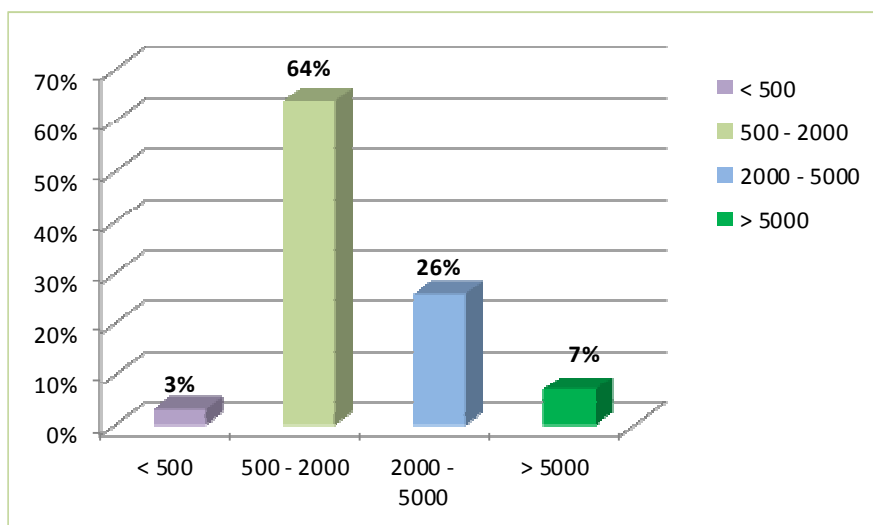
37. From the total of 41 AHs, 100% are makasae and all of the surveyed AHs 100% were found to be followers of Christianity.

### **14.3 Characteristics of Households**

#### **14.3.1 Economic Profile of AH**

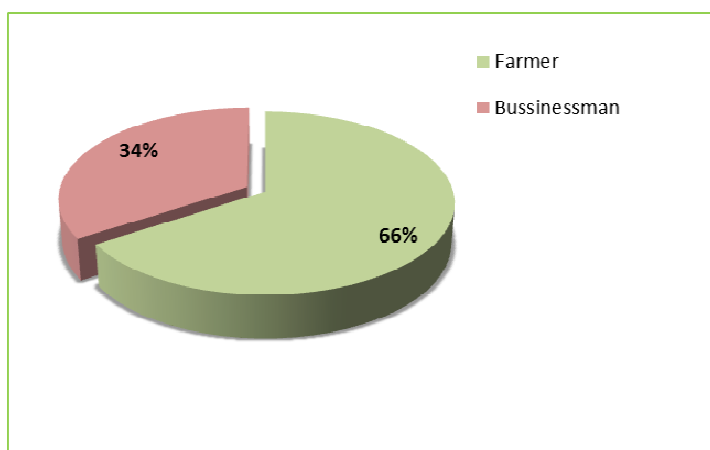
38. Majority of the AHs 64% have annual incomes of about (\$500 - \$2,000), 26% have incomes of about (\$2,000 - \$5,000), 7% have incomes more than (\$5,000) and the remaining 3% only have incomes up to (\$500). See chart 3-4.

**Chart 11-4 Annual Income of Affected Households**



Of the 41 AHs, 66% is farmers and 34% is businessman or traders

**Chart 11-5 Main Occupation of Affected Household Heads**



#### 14.3.2 Quality of Life Indicators

39. Around 5 years back the community in this region always has problem with electricity connectivity because the power supply which the region used was the old Indonesian materials, but now the government has upgraded the power lines in the region by replacing the old Indonesian steel electric poles and cables with the new concrete electric poles from Baucau until Laga, which is now has been giving the community 100% access to electricity.
40. There are 86.1% of the AHs have access to piped water supply, 11% have access to water from protected well and the remaining 3% have access to water from un-protected sources. The water pipe lines which have benefited around 86.1% of AHs was provided by the Australian Agency of international development (AUS-AID) through the Rural Water Supply, Sanitation and Hygiene (RWASH) program which was later transformed in to (BESIK) *Bee, Saneamento, Igenio iha comunidade*.

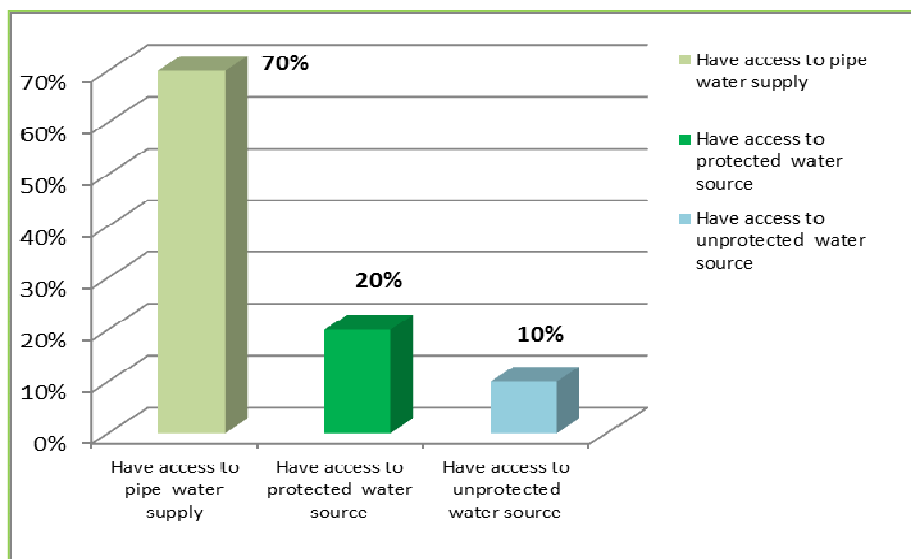
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41. These 2 (type) of public utilities are found to be affected by the project during the IOL and the public utilities survey. Additional transferring cost has been estimated and included in the RP budget in order to address this issue in the future.

**Chart 11-6 Water and Accessibility**



### 14.4 Economic Details of AHs

#### 14.4.1 Poverty Status

42. The TLSLS 2007 defines the upper poverty line to be \$26.68 per month per person and the lower poverty line to be \$21.53 per month per person. The calculation on poverty status of AHs in Venilale and Viqueque are also based on the TLSLS 2007.
43. Overall the total of 41 AHs within Venilale and Viqueque are 88% relatively within the poverty line. Of the total AHs in each district; 84% of the AHs are poor in Venilale and 100% are poor in Viqueque. Table 3-8 below reflects the overall poverty condition of these 2 Sub districts.

**Table 11-5 Poverty Analysis around the Project Area**

Sub District	No. AHs	No. APs	Average monthly income (\$)		Poor AHs	
			AHs	APs	No	%
Venilale	31	151	\$98.00	\$19.60	26	84%
Viqueque	10	40	\$148.71	\$29.74	10	100%
<b>Total</b>	<b>41</b>	<b>191</b>	<b>\$123.36</b>	<b>\$24.67</b>	<b>36</b>	<b>88%</b>

44. The average monthly income of the AHs is found to be \$123.36 and the average number of family members per AH is 5. Hence, the average income per month per person of the AHs is \$24.67.

#### **14.4.2 Impact of Project on AH's Livelihood**

45. The project will cause some impacts on AHs' livelihood in terms of loss of income. There are 4 roadside businesses (temporary kiosks/stall), each of which will have considerable losses. However, not all of the damages will be permanent. Apart from the monthly income loss, there will be permanent loss of crops like rice paddy along with the loss of fruit and timber trees, as mentioned in Chapter 2.
46. Based on the Socio-economic survey carried out in October 2015, a total of 36 AHs are considered as part of the vulnerable or poor due to their income level being below the living standard in Timor-Leste. These households will be provided with additional special assistance as an additional compensation entitlement.
47. Despite the project's impacts on livelihood and land as discussed in Section 2, it will have the following positive impacts:
- ix. Reduced travel time and cost for the AHs,;
  - x. Increased pedestrian safety;
  - xi. Improved and much reliable bus services, ensuring safe and comfortable travel;
  - xii. Improved communication among sucos;
  - xiii. Employment opportunities during the construction phase of the road;
  - xiv. Opportunities to sell goods to construction workers;
  - xv. Improved access to markets, schools, hospitals and other important social institutes; and
  - xvi. Increased land values due to enhanced accessibility
48. The local community, at the same time, expects some potential negative impacts, apart from the loss of land, structure, and income which the project will mitigate/address:
- iv. Dust and noise during construction period affecting the daily life of local households;
  - v. Increased chances of accidents due to increased traffic; and
  - vi. During the construction period, workers from outside will work in close proximity to the local people. Hence, there may be chances of conflicts, unrests, abuse of minors/women, and spread of sexually transmitted infection (STI) among the local community.



## **CHAPTER 15 LEGAL POLICY FRAMEWORK AND ENTITLEMENTS**

### **15.1 Introduction**

49. The RP is based on ADB's Safeguards Policy Statement, as well as the Timor-Leste's applicable/domestic policy instruments and laws. The RP is in line with the provisions of the Resettlement Framework (RF) approved by the Ministry of Public Works, Transport and Communication, Government of Timor-Leste and in compliance with ADB safeguards policy.

### **15.2 Existing Policy and Legal Framework for Resettlement in Timor-Leste**

50. Section 141 of the Constitution states that, "the ownership, use, and development of land as one of the factors for economic production shall be regulated by law". Section 54 of the Constitution covers the right to private property and provides for:
- v. Every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law.
  - vi. Private property should not be used to the detriment of its social purpose.
  - vii. Requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law.
  - viii. Only national citizens have the right to ownership of land.
51. The first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. The law defined State property of private domain, established the Directorate of Land, Property and Cadastral Survey (DLPCS) as a legal entity and defined its jurisdiction, and articulated general rules concerning land tenure and property rights to be further developed by ensuing legislation. Moreover, this law established a one-year period for both nationals and non-nationals to register their land claims. Effectively Law No.1/2003 vests all land that belonged to the Portuguese state, and all state property acquired or built by the Indonesian regime, in the new state of Timor-Leste. However, there are uncertainties over the boundaries of state land and overlapping claims of state and customary land ownership. Furthermore, the law currently does not include any implementing regulations.
52. A decree issued by the government in February 2011 which provides for the granting of compensation to relocate unlawful occupants of state property based on humanitarian considerations. The Ministry of Justice (MOJ) through ministerial statute establishes the basis for calculating compensation. Another decree promulgated in July 2011 provides for the granting of title certificates to landowners/persons in areas where cadastral surveys have been completed (following the registration and verification of claims by the government) and confirmed that the claims to land are undisputed. Among the claims registered so far under the Ita Nia Rai program, some 92 percent of claims are undisputed.
53. Four pieces of legislation relating to land have just received parliamentary approval:
- The Civil Code which forms the pillar of civil law in East Timor includes a section that governs day-to-day land decisions such as the sale and lease of land;
  - The Transitional Land Law sets the scene for all land issues in the future, deciding who owns what land and in the case of conflicting



claims, who has the strongest right to the land;

- The Expropriation act that allows the state to take land for "public good" for example, to build ports and other infrastructure; and
- The Real Estate Finance Fund to provide compensation as determined under the other laws.

54. There were no specific laws on involuntary land acquisition and compensation until the end of 2011. When road works required land in the past, the government negotiated with the owners or users (including squatters) on a case by case basis. According to past practices, when land was required for project development, concerned parties under the direction of local authorities (district and sub-district land property units and villages) negotiated and reached an agreement on compensation rates, total compensation amount, and the procedures or mechanism for compensation and transfer. Land acquisition for public purposes is now governed by the provisions of the Expropriations Act. Hence, the project will acquire land under the provisions of the Expropriations Act (2012), which provides for negotiated purchase as the first approach. Only if negotiations fail, will the government initiate "compulsory acquisition".

### **15.3 ADB's Safeguard Policy Statement**

55. ADB's Safeguard Policy Statement (2009) aims to avoid wherever possible or minimize the impacts on people affected by a project, and to provide support and assistance for those who lose their land and property, as well as for others whose livelihoods are affected by the acquisition of land or restriction on land use. Resettlement planning is designed to provide AHs with a standard of living equal to, if not, better than that which they had before the project. The policy is guided by the following principles:

- Involuntary resettlement is to be avoided or at least minimized;
- Compensation must ensure the maintenance or improvement of the AHs' pre-project living standards;
- AHs should be fully informed and consulted on compensation options;
- AHs' socio-cultural institutions should be supported/used as much as possible;
- Compensation will be carried out with equal consideration of women and men;
- Lack of formal legal land title should not be a hindrance to assistance/rehabilitation;
- Particular attention should be paid to households headed by women and vulnerable groups, such as indigenous people and ethnic minorities. Appropriate assistance should be provided to help them improve their status;
- Land acquisition and resettlement should be conceived and executed as a part of the project. The full costs of compensation

should be included in the project costs; and

- Compensation/rehabilitation assistance should be paid prior to ground leveling and demolition, and in any case, before an impact occurs.

56. The policy comprises three important elements as follows:

- iv. Compensation to replace lost assets, livelihood, and income;
- v. Assistance for relocation, including provision of relocation sites with appropriate facilities and services; and
- vi. Assistance for rehabilitation to improve or achieve at least the same level of well-being with the project as without it.

The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

#### **15.4 Project Policy Framework and Entitlements**

57. The legal and policy framework on resettlement in Timor-Leste has been compared with the requirements of ADB and some gaps have been identified. The gap-filling measures and resettlement policy principles for the project are as follows:

- xxii. The Constitution gives the power to the state to expropriate land for public purposes paying due compensation in accordance with the law. The Expropriation Law has received Parliament's approval. The government will now be able to acquire land for road improvement under "eminent domain" or involuntarily.
- xxiii. A substantive amount of land in Timor is not registered. The government has started issuing land title certificates in urban areas, which will help in identifying land owners. In rural areas where most of the road sections will be improved, the MOJ and DLPCS will identify and establish ownership claims for the land parcels required for the project roads.
- xxiv. The absence of an active land market in rural areas poses a challenge to determine the market or replacement value of the affected land. Professional valuation expertise under the PMU supported by ADB will assist the DLPCS for the valuation of affected assets to determine fair compensation at replacement cost to AHs. Resettlement impacts will be minimized through careful engineering design;
- xxv. AHs will be systematically informed and consulted during the entire process of resettlement planning and implementation, including assessment of possible impacts on their livelihoods, purchase of land/assets, determining compensation/resettlement options, and socio-economic rehabilitation measures. They will be informed of their rights and options and be invited to participate actively in the identification of mitigation and rehabilitation measures;
- xxvi. The AHs will be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves

as an eligibility cut-off date, usually around the time of initial consultations, at the sub-project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits;

xxvii. Consistent with donor policies, eligible AHs are:

- Those with titles to land recognized on a legal basis;
- Those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP;
- Those who have no legal right or claim to the land they are occupying before the cut-off date.

xxviii. Eligible AHs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-sub-project living standards, income earning capacity and production levels;

xxix. In the consultation process, representatives of local governments, village chiefs, other community leaders and civil society organizations such as non-government organizations (NGOs) from the operational areas will be included. The customs and traditions, as well as religious practices of all AHs, will be respected and protected;

xxx. The institutions of AHs, and, where relevant of their hosts, are to be protected and supported. Physically displaced AHs will be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted;

xxxi. Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements;

xxxii. Particular attention will be paid to the needs of vulnerable AHs. This group of AHs may include those without legal or recognizable title to the land or other assets, households headed by females, the elderly or disabled, and other vulnerable groups, such as people living in extreme hardship, and indigenous people that may be a minority in specific locations. Appropriate assistance will be provided to help them improve their socio-economic status;

xxxiii. The concerns of women will be identified based on gender disaggregated socio-economic data, separate discussions on women's concerns, and ensuring adequate measures and budgetary allocations in the resettlement plan to compensate and resettle them in a manner that does not disadvantage them. In this effort, the assistance of national NGOs currently engaged in women's welfare will be sought;

xxxiv. Since there are no significant differences in cultural and socio-economic identity among the different language groups, no specific adverse impacts are anticipated to warrant separate indigenous peoples' plans. To ensure that the different language groups fully participate in planning and

implementing resettlement, discussions and reports will be prepared and disclosed appropriately in the relevant languages. RPs will also include provision for any special measures that may be required;

- xxxv. Resettlement planning decisions will be preceded by a social preparation phase where consultations will be held with AHs community leaders, local administrators, and NGOs to enhance the participation of these AHs during negotiation, planning, and implementation;
- xxxvi. A valuation specialist will be provided under the PMU to assist the DLPCS to have appropriate rates in place. Payment for physical assets, i.e., houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be calculated at replacement cost and included in the RP;
- xxxvii. AHs losing only part of their physical assets will not be left with a proportion inadequate to sustain their current standard of living. Such a minimum size will be identified and agreed upon during the resettlement planning process;
- xxxviii. Land for land or asset for asset compensation is always the preferred method. However, if insufficient land or assets are available, or if the affected people have a preference and the resettlement impacts are considered to be minor and do not undermine the livelihoods of AHs, cash payment at replacement costs will be provided based on negotiation with AHs. For those experiencing severe impacts (more than 10% of productive land severely affected people (i.e., AHs experiencing significant impacts)), assistance will be given to identify and purchase alternative land. Efforts will also be made to provide sustainable livelihood restoration measures if there will be permanent loss of income source so that affected people can improve or at least restore their standard of living to pre-project levels;
- xxxix. A grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will be established to solve resettlement related disputes and complaints from AHs;
- xl. The full cost of land purchase and resettlement will be included by the government in the project cost and adequate budgetary provision shall be made available during implementation;
- xli. All land purchase, compensation, resettlement activities will be satisfactorily completed and the sub-project areas cleared of all obstructions before the commencement of civil works; and
- xl.ii. No works with resettlement impacts will be implemented before a RP has been prepared and approved in line with this RF. The general process for preparing RPs include:
  - Consultation with AHs relevant stakeholders, and whenever necessary, assistance of relevant institutions to ensure effective consultations;
  - Undertaking of a participatory inventory of losses (IOL), which will be

updated during a detailed measurement survey (DMS) following the detailed design;

- Determination of replacement cost – for AHs losing assets (land, physical assets, means of livelihood, or social support systems) will be compensated and assisted to the APs, through adequate and satisfactory replacement land, housing, infrastructure, resources, income sources, and services, in cash or in kind, so that their economic and social circumstances will be improved or at least restored to the pre-project level. All compensation will be based on the principle of replacement cost at current market value. When necessary, livelihood restoration programs acceptable to the local community will be put in place to help people improve, or at least restore, incomes to pre-project levels;
- Preparing a cost estimate and budget including the costs of compensation, relocation and rehabilitation, social preparation and livelihood programs. The budget will also include the costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, physical and price contingencies, and implementation of the RP;
- Inclusion of a grievance mechanism based on cultural practices and agreeable to AHs; and
- Inclusion of a monitoring system - appropriate reporting and monitoring and evaluation will be established as part of the resettlement management system, which will be set out in the RP.

## **15.5 Eligibility and Entitlements**

58. This RP will apply to the Road Network Upgrading Project for implementing the Venilale-Viqueque sub-project. This will ensure that all persons affected by losing of land and other fixed assets, will get the appropriate compensation, and rehabilitation assistance.

### **15.5.1 Cut-off Date and Eligibility**

59. The cut-off date under the project is the date after which people will not be considered eligible for compensation, i.e., they are not included in the list of AHs as defined by the census. Normally, the cut-off-date is the date of the detailed measurement survey. The cut-off date under the project has been set as on **10 October 2015**. PMU/MPWTC and disclosed to the local communities. People who will move into the project boundaries after the cut-off date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses:

- Those with titles to land recognized on a legal basis;
- Those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP; and
- Those who have no legal right or claim to the land they are occupying before the cut-off date.

60. Replacement cost for land and other fixed assets, (houses, other structures) crops, and

trees will be used to replace losses, while AHs with recognizable land rights/claims will receive fair compensation/price at replacement rate for land, those without such rights will be compensated for assets attached to land such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their incomes. The AHs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistances. Vulnerable persons and women-headed households will qualify for special assistance.

61. An entitlement matrix for the project is presented in Chapter 7. The RP will include a detailed entitlement matrix identifying the following main components:

- Description of impact (permanent, temporary, land, structure, crops, access, employment, business, communal facilities, public buildings and utilities, etc.);
- Nature of impact (right of way, access for construction, partial or total loss, ownership, impact on income, etc.);
- Definition of affected person for each category of impact;
- Specific entitlement for each type of loss; and
- Agency responsible for each entitlement.

62. Where public buildings such as schools, clinics, electricity lines, water supplies, markets, and government offices are affected during construction, PMU will work with relevant authorities to plan for replacing them. The contractor, however, will be financially responsible for the actual replacement as part of their contractual obligation. Churches and religious structures if affected will be compensated at replacement value.

## CHAPTER 16 PARTICIPATORY CONSULTATION AND DISCLOSURE

### 16.1 Stakeholders

63. This RP has been prepared in consultation with key local and national stakeholders. Table 5-1 summarizes the consultations that have been undertaken in preparation for the RP. Importance was given to consult the leaders of local communities, particularly the suco/village and aldeia/hamlet chiefs, along the project road corridor to receive their support for the project. Most importantly, attention was given to the directly affected persons and their community to understand their attitude towards the project design and benefits, their expectations, and to create awareness among the affected population regarding their entitlement, compensation payment procedures, and grievances redress mechanism. In the process of considering mitigation measures, their suggestions have been taken into account to avoid negative impacts to the possible extent.
64. The main issues concerning the project impacts and AP's expectation and their suggestions on mitigation measures appeared more or less similar. The key local and national stakeholders that were consulted on the project include:
- Local individuals and communities;
  - Special interest groups (women, farmers, small traders, landless);
  - Government authorities and public sector agencies;
  - Non-government organizations (NGOs); and
  - Financing agency and other international development agencies.

### 16.2 Key Issues

65. Consultations, especially at suco and aldeia levels, were dominated by questions and concerns relating to the land ownership issue, compensation for land and other assets lost, and impacts on livelihoods, impact on religious and cultural sites, and on services. The key issues that were frequently raised in the consultation are summarized as follows:

No	Issue raised by community	Government answer
1	Will the government compensated our affected houses?	The affected house will be compensated accordingly to the type of the house exp; Temporary, Semi-permanent or Permanent
2	Will our sacred tradisional structures be compensated the same as residential structure?	Compensation for the sacred tradisional structures will be diferent since rebuilding will required ritual and gathering of the clan



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3	How wide will the new road be?	Improvement works will widen existing road to achieve 6m wide asphalt, however, the total width of the road could reach 10 to 12m on the flat sections because we need to add road shoulders on the left and right side of the road, drainage and embankment walls. Along the ridge and hillside section, the road could be between 12 to 14m because there is a need to cut the hills, install drainage and retaining
4	When can we get the compensation if affected?	First of all, we need to emphasize again that only those that are affected will get compensation. How will we know those that get compensation? There will be a detailed survey in about one month from now.  The compensation will be paid to the affected household/person before road rehabilitation
5	What about Impact on public health?  especially due to dust from construction activities. Usually what happen in Timor Leste, contractor doesn't want to be bothered by it.	Contractor will be obligated by contract to protect local community from getting impacted from dust. Prolonged or severe dust exposure could cause Respiratory Tract disease that could severely affect the health of children and older residents. So, the contractor is obligated to spray and compact, more than once a day in villages or areas where there are concentration
6	What if the road will hit our public cemetery?	If the cemetery is affected, the team will coordinate with family and chefi de suco to organize an event for reallocation of the cemetery. But if it cannot be moved, there is an
7	During previous road rehabilitation work, contractor mobilized heavy machinery near houses and some structures are affected (ruptures on the walls). I hope during this project, the contractor will do better and no structures will be affected like that.	Vibration impacts could cause ruptures to structures like mentioned and mobilization of heavy machinery should be carefully conducted near concentration of structures. This will definitely be noted in the Environmental Management Plans and should this kind of things happen again, community should not hesitate to complain to the chefi de suco who will complain to the contractor or consultant that

### 16.3 Community Attitude

66. Many people anticipated that the project would lead to substantial development and the improvement of infrastructure, services and facilities in the area. The project has been seen as an opportunity to develop the region and its people. In the consultation meetings, almost all participants responded by stating that the project is necessary for improving connectivity, creating jobs, increasing agricultural productivity and reducing poverty. In the survey stage, the people likely to be directly affected were supportive of the project, participating in the consultation process through responding to various surveys. They also expressed their support to the project with the expectation of getting fair compensation for their affected assets. Both in the course of consultations and survey period, the participants and likely AHs were asked about their preference on the type of compensation for their affected property. In all the meetings, almost all the respondents **preferred cash compensation** for the loss of their land, structures, trees, and other assets.

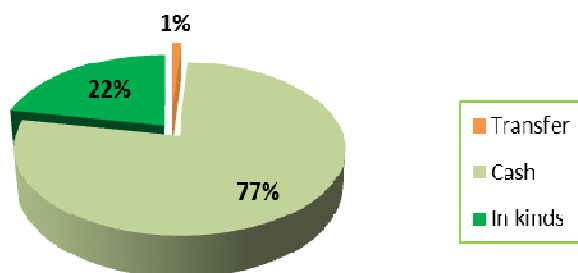


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**Chart 5-8 AHs Compensation Preference**



**Table 11-6 Summary of Stakeholder Consultations**

Stakeholder Category	Activities Undertaken
National Level	Consultation with: Project and Financial Manager, PMU, MPWTC Chief Technical Adviser, PMU, RNUSP Director, National Statistics Directorate, Ministry of Finance, Timor-Leste Project Consultants
District and sub district Level	Consultation with: (i) District Administrator of Baucau (ii) Sub-district Administrators of Venilale and Viqueque (iii) Director of the DLPCS of Baucau (iv) Senior technician, Baucau's water and sanitation service
Suco/Village Chief	Consultation with the suco chiefs along the project area (ossurua, ossu de cima, loihuno, uabubo)
Aldeia/Hamlet Chief	Consultation with concerned Hamlet/Aldeia's chiefs under the above mention sucos/villages.
Villagers/Community	Public Consultation Meetings (PCM) with all of the community who are residing along the roadside.
Individual	Interviews with the APs
Special Interest Groups	Farmers
Other International Agencies	None

**Figure 11-7 Pictures of the Cordination meeting with the Local Leaders**



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Figure 11-8 Pictures of the Public Consultation Meetings



67. Consultation meetings were held at the Sub-district and sucos/village level along the existing road corridor, which involved almost all AHs as participants (107 participants)<sup>29</sup>. Photos of consultation meetings are given in Appendix C. The minutes and participant lists of public consultation meetings are given in Appendix D.

Table 11-7 Consultation Meetings

No	Date	Time	Venue (Suco/Sub-District)	Participants
1	16 Sept. 2015	09:00	Ossu de Cima (Suco chief's office)	29
2	16 Sept. 2015	14:00	Loi huno (Suco chief's office)	23
3	16 Sept. 2015	16:00	Uabubo (Suco chief's office)	25

<sup>29</sup> Number of the participants is small because during the time of (PCM), the community (mostly farmers) was busy preparing their agriculture activity.

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4	30 Sept. 2015	09:00	Ossurua (Community Centre)	30
<b>Total</b>				<b>107</b>

**16.4 Disclosure**

68. Initial disclosure of the draft RP has been done with the affected persons. After the approval of the updated RP by the MPWTC and ADB, a summary of the Resettlement Plan along with the entitlement matrix, including the list of AHs will be translated into local language (Tetum/Portuguese) and will be disclosed to stakeholders, and especially affected persons, by the MPWTC. This will be presented in the form of a booklet/brochure (Appendix C) to enable the AHs and local communities to read it by themselves and be aware of the project's benefit/compensation available for the AHs, as per provision in the entitlement matrix. MPWTC field staffs/consultants will distribute the brochures through suco meetings and will explain the mechanisms and procedures and the overall process of the compensation program. The RP will be made available in the MPWTC, as well as in the MPWTC's field offices, Directorate of Land Property and Cadastral Survey, offices of the district and sub-district administrators, offices of the suco chiefs and aldeia leaders, as an official public document. The RP will also be disclosed on the ADB and MPWTC websites. Any updates to the RP will again be disclosed to the affected persons and key project progress and information shared to them during implementation.

**CHAPTER 17 GRIEVANCE REDRESS****17.1 Government Policy for Grievance Redress**

69. The constitution of Timor-Leste and the Expropriations Act gives the right for its citizens to be compensated if their property is used for public purpose. According to Section 54 of the constitution, "requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law". As stated earlier, the first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. However, there are uncertainties over the boundaries of state land and overlapping claims of state and customary land ownership. Further, the law currently does not include any implementing regulation.
70. The Expropriation Law has received the parliament's approval. The Government is now able to acquire land for road improvement under an "eminent domain" or involuntarily. Another problem with expropriation is that a substantive amount of land in Timor is not registered. Also, the absence of an active land market in rural areas poses a challenge to determine the market or replacement value of the affected land. As a result, the government policy for grievance redress will not probably be adequate. Hence, the project is proposing a grievance redress mechanism to address the grievances of the AHs.

**17.2 Proposed Measures to Address Grievance**

71. It is important to deal effectively with AHs' concerns pertaining to resettlement impacts such as compensation, rehabilitation, delays in payment, etc. To ensure this, a simple and accessible, transparent, and effective grievance redress system shall be established.

72. The suco chiefs (village is suco), other elders, church leaders, and other recognized civil society leaders will play a major role in the grievance redress process. On land matters, the MOJ, assisted by DLPCS, will resolve any conflicts according to the provisions of the Expropriations Act. Ita Nia Rai's experience with conflict resolution and dispute mediation in property rights will be drawn upon as necessary to strengthen PMU's capacity in addressing land-related issues.
73. The project manager and PISC's resettlement specialist will be the focal point for receiving and resolving any grievances of AHs.
74. AHs will not be liable for any costs associated with resorting to the grievance redress process; any such costs will be reimbursed by the project.
75. The AP always has final recourse through Timor-Leste's legal channels. However, every effort will be made to avoid this. Should the AHs want to pursue legal recourse, PMU/MPWTC with assistance from the PISC consultants will ensure that support is given to the AP to prepare a case. The grievance address procedure is shown in Table 6-1.
76. Through public consultations and distribution of public information booklets, AHs will be informed that they have a right to file complaints to the Grievance Redress Committee (GRC) on any aspect of land acquisition compensation, or on any other related grievances. It should be pointed out that this committee does not possess any legal mandate or authority to resolve land issues, but rather acts as an advisory body or facilitator to try to resolve issues between the affected household and the MOJ/MPWTC/PMU. The GRC will review grievances involving all resettlement benefits, relocation and other assistance. Any complaints of ownership or other suits, to be resolved by judicial system, will not be resolved in the GRC.
77. One or more GRCs will be set up based on the local administrative units (districts, sub-districts, sucos and aldeia) to facilitate easy accessibility of the AHs. The GRC would be the tool to ensure proper presentation of grievances, impartial hearings, and transparent decisions. Established through a gazette notification of the MPWTC, GRCs will work for any grievances involving resettlement benefits and issues. The GRC will include at least one female member to participate in the hearings if the aggrieved person is a female. The GRC is proposed to be composed of:
- Representatives of affected persons
  - Representatives of the local administration (District/sub-district administration and chiefs of suco and aldeia)
  - Representative from MPWTC-PMU/ESU
  - Representative from DLPCS
  - Representative of the PISC

**Table 11-8 Grievance Redress Procedure.**

Step	Process	Duration
1	AP submits grievance to the sub-project manager in person	
2	Sub-project manager will try to address the issue.	7 days
<b>If unresolved or if AP wanted to go directly to PMU</b>		

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3	Sub-project manager shall take the grievance to the PMU/community liaison officer	Within 2 weeks of receipt of decision in step 2
4	Issue discussed at project liaison meeting	1 week
5	PMU/community liaison officer reports back to village/AP	5 days
<b>If unresolved</b>		
6	AP take grievance to MPWTC Secretary of State	Within 2 weeks of receipt of decision in step 5
7	Secretary of state refers the matter to an internal committee	2 weeks
8	Secretary of state reports back to AP	5 days
<b>If unresolved or at any stage if AP is not satisfied</b>		
AP can take the matter to the appropriate court		As per judicial

**17.3 Compensation Determination Procedure**

78. Land for the project will be acquired with consent from the affected persons as much as possible. Payment for physical assets, i.e., houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be paid based on existing market prices to AHs with the assistance of the Directorate of Land, Property and Cadastral Survey (DLPCS).
79. AHs will be well informed of their rights and entitlements regarding their compensation, so that they can make an informed decision. Once the sub-project and its potential impacts have been identified, and consultations take place, AHs will be informed of their options. These consultations with AHs will provide details on the land required to construct or facilitate the works, as well as some basic socio-economic information about the AHs.
80. The PMU will obtain the views of the AHs as to whether they support the project in general and the proposed works specifically, as well as whether they are willing to discuss the sale of land to the project through negotiation. In the event that the owner is not willing to discuss the provision of land for use by the project, MPWTC has two options: (i) invoke involuntary/compulsory land acquisition procedures, following an expropriation mechanism and in compliance with the donors' policy and RF; or (ii) not proceeding with the particular works in respect to that piece of land.
81. Where the AHs are willing to discuss voluntarily providing/selling their land for the project, the PMU will discuss and document the basis on which the land transfer will proceed, including the agreed upon consideration or compensation. The PMU will ensure that voluntary land settlement is in fact voluntary and that the people were not coerced or pressured in any way. The criteria for eligibility for consideration of voluntary land settlement will ensure that land is not under dispute or the subject of an unresolved land claim.
82. Negotiated land settlements if necessary will be carefully documented. MPWTC will seek to obtain any agreed legal documents between MPWTC, DLPCS, and the land owners that are



negotiating in selling their land. The legal documents will establish the obligations of each party to the agreement. If the obligations have been agreed upon, the legal documents will be signed by the different parties being the landowner(s), representative(s) of MPWTC, and representative(s) of DLPCS.

83. As per provision of the RF for the project, PMU shall include an international safeguards specialist who will verify the process, and documents the consultations and agreements reached on behalf of the PMU. It is of utmost importance to verify that the AHs are fully informed of the compensation payments that they are entitled to. A third party, such as a non-government organization (NGO) or civil society organization (such as a church), will provide independent validation that: (i) the consultations have been undertaken meaningfully, freely, and in good faith; and (ii) the landowners have willingly given/sold the land for the project works.
84. The established grievance redress mechanism, linked with the existing traditional formal and informal systems and cognizant of cultural requirements, will support to solve any disputes and complaints from AHs.
85. The MOJ and DLPCS will set up a committee under the Directorate and coordinate with the PMU, with assistance of a professional valuation expert provided under the project, to establish a basis for valuation of affected land and properties and other assets according to the Expropriations Act.

## **CHAPTER 18 Entitlements, Assistance, Benefits and Income Restoration**

86. All the compensation will be based on existing market price. Majority of the roadside businesses are temporary kiosks. A lump sum transitional allowance will be provided to these households to compensate for the losses that the project will cause to them during the time that their businesses are not in operation. The cost of rebuilding the kiosks and stalls will also be provided. Holders of small businesses who will continue after the completion of the road construction are not suggested to be given alternative income generation training or livelihood support unless they are unable to continue with the business permanently because of the project.
87. The project will have a slight impact on potential rice paddy productivity (1 time harvest/year "based on socio-economic survey September 2015"). Loss of this income will be compensated with a corresponding amount equal to its market value for three (3) years. The affected households can still carry on with paddy production in their remaining lands. Seeds for the next cropping season will be provided.
88. The income lost from the impact on cutting timber trees will be compensated using timber value at market price. Compensation for fruit and other trees will be made depending on the species, current yield, and three years equivalent production.
89. The road construction will require several unskilled laborers for earthworks, road embankment as well as other related works. PMU will encourage contractors to give preferential employment on the affected persons, including affected women when recruiting local laborers. Routine maintenance of the improved road will have the opportunity to employ local communities and preference will also be given to affected persons particularly the vulnerable groups such as the poor and women-headed households. Employment in the project construction will be an added source of income to the local community particularly the affected persons.

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90. Vulnerable households (households headed by an elderly person, single female headed poor households and/or households with people with disabilities) are also entitled to special assistance of \$100/month for three months, on top of all other entitlements. They will also be given preference in local employment during construction and routine maintenance.
91. Income and livelihood restoration program will be provided should there be any significant impacts to the affected persons which will permanently disrupt their income source and livelihoods. It will be ensured that affected persons will be able to maintain their income at pre-project level and for vulnerable groups should require improvement or enhancement of their income level above the poverty line.
92. The MPWTC-PMU will initiate the process of land acquisition together with concerned authorities. Thereafter, land free from all encumbrances and duly acquired and compensated (including all affected assets) shall be made available to civil contractors.

Type of Loss	Entitled Persons	Details of Entitlements	Responsibility
1a. Permanent loss of homestead, commercial and Agriculture land	Title holders/ recognized or recognizable claims under national laws	<ul style="list-style-type: none"> <li>Cash compensation for the loss of land at fair negotiated price (\$10/sq. meter for productive land and \$8/sq. meter for non-productive land)<sup>30</sup></li> <li>Subsistence allowance at \$100 per month<sup>31</sup>, for 3 months if the residual agriculture land is not viable (land acquired is 75% or more of the total land holding of the title holder)</li> <li>Subsistence allowance at \$100 for one month if residual agriculture land is viable</li> <li>All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project</li> <li>Additional compensation for vulnerable households (item 5)</li> <li>60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided. Refer to item 4 for other applicable compensation</li> </ul>	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.

<sup>30</sup> Based on the recommendation of DLPCS as per the ongoing land transaction in the area and agreed with the affected communities.

<sup>31</sup> Based on consultation with the affected communities.



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1b. Permanent loss of homestead, commercial and Agriculture land	Tenants and leaseholders	<ul style="list-style-type: none"> <li>Cash compensation at \$ 200 of up to 6 months of land lease<sup>32</sup></li> <li>60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided</li> <li>Additional compensation for vulnerable households (item 5)</li> </ul>	
Temporary Loss of Land during construction	Landowners/Lessee	<ul style="list-style-type: none"> <li>As per contractor's responsibility reflected on the construction methodology of the contract.</li> </ul>	Responsibility of the contractor with assistance/oversight from PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
2a. Permanent loss of residential/ commercial structures other than kiosks and stalls	Owners of structure	<ul style="list-style-type: none"> <li>Cash compensation equivalent to replacement value of structure (or part of structure) without depreciation and construction cost equivalent to 25% of the construction materials</li> <li>Subsistence allowance of \$100/month of up to 3 months for affected residential structure who do not own the land e.g. Informal settlers/squatters/non-tilted APs</li> <li>Compensation for income loss equivalent to average monthly income for 2 months for semi-permanent and 3 months for permanent commercial structure</li> <li>Transportation allowance equivalent to minimum of \$ 100</li> <li>Right to salvage materials from the demolished structure without deduction from their compensation</li> <li>Additional compensation for vulnerable households (item 5)</li> </ul>	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.

<sup>32</sup> Based on agreed amount with affected persons during consultation

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3.a. Income from business	Business owners, vendors (permanent, semi-permanent and temporary)	<ul style="list-style-type: none"> <li>Cost of the materials and reconstruction of the affected structure ensuring that safe location will be made available if required for the new structure</li> <li>Transitional allowance equivalent to average monthly income for two months to compensate for disruption of business<sup>33</sup></li> <li>If required, transportation allowance equivalent to \$100</li> <li>Salvaged of materials which are free of cost</li> </ul>	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.
3.b. Income from business	Business owners, vendors (stalls)	<ul style="list-style-type: none"> <li>Compensation of \$50 dollars for two months to compensate for disruption of business</li> <li>Cost of the materials and reconstruction of the affected structure</li> </ul> <p>Additional compensation for vulnerable households (item 5)</p>	
4a. Loss of crops	Claimant of the affected crops	<ul style="list-style-type: none"> <li>Provision of 60 days notice to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price</li> <li>Provision of seeds for next cropping season</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
4b. Loss of trees	Claimant of the affected trees	<ul style="list-style-type: none"> <li>Cash compensation for for perennial crops and fruit bearing trees based on annual net product market value multiplied by 3 years</li> <li>Cash compensation equivalent to prevailing market price of timber for non-fruit trees</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
4c. Loss of paddies	Claimant of the affected paddies	<ul style="list-style-type: none"> <li>Compensation for rice paddies equals to the market value of its annual yield for three years</li> </ul>	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities

<sup>33</sup> Assessment shows that it will take maximum two months to rebuild structures.

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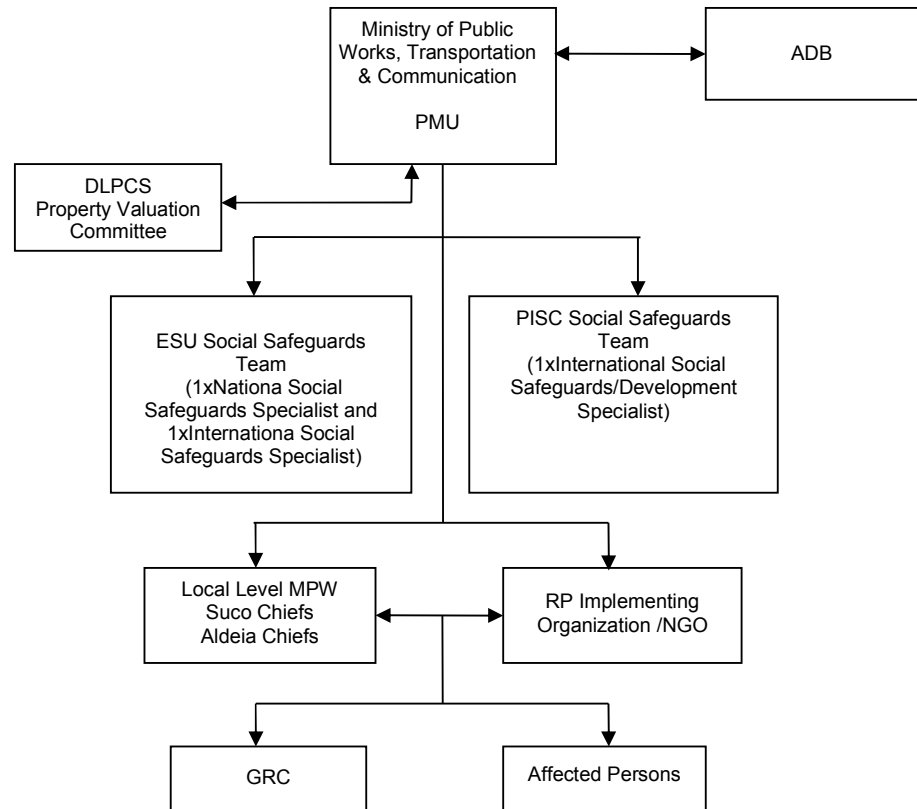
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

		<ul style="list-style-type: none"> <li>Provision of seeds for next cropping season</li> </ul>	will determine the fair compensation at replacement cost.
5. Impact on vulnerable APs	Vulnerable and women-headed households identified by IOL	<ul style="list-style-type: none"> <li>Additional subsistence allowance equivalent at \$100 for 3 more months for loss of land or structure</li> <li>Landless/vulnerable APs will be assisted to find an alternative land/plot</li> <li>One-time rehabilitation grant in the form of productive assets(e.g. seeds and planting materials) for loss of agriculture income</li> <li>Vulnerable households will have priority in any employment required for the project</li> </ul>	PMU with assistance of local authorities and community leaders
Unforeseen impact	Concerned persons affected	Unforeseen impacts will be documented and mitigated based on the government, ADB SPS (2009) safeguards policy	PMU identifies and mitigates impacts as required.

**CHAPTER 19 INSTITUTIONAL FRAMEWORK****19.1 Institutional Setup**

93. The PMU under the MPWTC will have the overall responsibility in implementing the project. The PMU has national and international social safeguard specialist to plan and implement land purchase and resettlement, train counterpart staff and monitor resettlement. The PISC consultant for the project will also provide an international social safeguards/development specialist to work with the PMU on all resettlement and consultation tasks.
94. The following tasks enumerated below are the key responsibilities of the PMU regarding the implementation of resettlement activities:

**Figure 11-9 Organizational Chart for RP Implementation**



- Planning, coordination, implementation and monitoring of land acquisition and resettlement;
- Conducting of consultations and ensuring that the affected people are well-informed on the resettlement and compensation;
- Coordinating with the MPWTC, MOJ and DLPCS and ensuring a prompt, adequate and timely compensation payment according to entitlements; and
- Monitoring and reporting resettlement activities.

95. A valuation specialist will be provided if required to assist the DLPCS in the valuation of property and to have appropriate compensation in place. The international safeguard specialist at PMU will assist in managing all resettlement activities including the process of reaching adequate compensation. If the situation demands, PMU will engage an experienced NGO that is active in the project area to assist in the process of consultation, negotiating compensation, and resolving disputes.

**19.2 Resettlement Implementation Structure**

96. The institutional responsibilities of different agencies for implementation of resettlement activities are shown in Table 8-1 below.

**Table 11-9 Responsibilities of Agencies**

Agency	Roles and Responsibilities
Executing Agency (EA) MOF/Implementing Agency (IA) MPWTC	Overall execution of the project Directs the PMU Provides funds for land purchase and resettlement Liaises with ADB
Project Management Unit (PMU)/MPWTC	Manages the social and resettlement aspects of the road sub-project  Works with the design and supervision consultants regarding all matters dealing with resettlement and consultation  Organizes effective public consultation and disclosure of resettlement planning documents in appropriate language  Carries out land acquisition according to the provisions of the Expropriations Act in coordination with MOJ and DLPCS  Insures that AHs are paid with compensation promptly, adequately and effectively, in conformity with the Expropriations Act and the ADB's Guideline for Environmental and Social Consideration  Establishes a grievance redress system designed to deal effectively with complaints from AHs, in coordination with MOJ/DLPCS  Insures that effective monitoring of resettlement is conducted and reported to funding agencies insures that the grievance redress system is effective when addressing AHs concerns  Works closely with NGOs during appropriate social and public consultation activities  Liases with ADB on all matters relating to resettlement and submits regular reports

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Agency	Roles and Responsibilities
MOJ/DLPCS	<p>Oversees and reviews the implementation effectiveness of land purchase and resettlement</p> <p>Guides the PMU in addressing issues that require policy direction</p> <p>Assists with resolving any land-related issues in accordance with the current legislation</p> <p>A valuation specialist will work with MOJ/DLPCS to prepare compensation values for land in compliance with the Expropriations Act</p>
ADB	<p>Review and approve all resettlement documentations as required under the respective policies of the government</p> <p>Assist in capacity building in the PMU to manage social safeguards in road projects</p> <p>Disclose RP on respective websites</p> <p>Provide guidance as required based on progress reports and supervision missions</p>

## CHAPTER 20 RESETTLEMENT BUDGET AND FINANCING

### 20.1 Institutional Arrangements for Financing Resettlement

97. All funds required for land purchase and resettlement will be provided by the government. The MOF/MPWTC will ensure that adequate funds are available for carrying out resettlement according to the prepared budgets. The PMU will coordinate on the allocation of funds, approval of payments and delivery of funds, monitoring of progress, and reporting.

### 20.2 Budget Description

98. The entire resettlement for the road improvement project will require a total of \$182,647.15 out of which \$166,042.87 is for direct resettlement expense. The rest of the budget is kept to meet the expenses for resettlement staff training, internal monitoring, administrative expenses and contingency expenses. Table 9-1 below gives a summary of the breakdown of resettlement expenses. The included cost items are in compliance with the RF prepared for the project.
99. MOJ will work with PMU to conduct cadastral surveys for the lands to be acquired and

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prepare valuation tables as provided under the Expropriations Act. These will be undertaken following validation exercise prior to the payment of compensation. PMU will ensure such values conform to the ADB's policy on providing compensation at full replacement cost. The Expropriations Act provides for negotiated purchase in the first instance. If, however, statutory compensation under the act falls short, then PMU will provide additional funding to "top up" compensation as required.

**Table 11-10 Resettlement Budget**

Item	Quantity	Unit	Rate	Amount (\$)
<b>Compensation for Land and Structure</b>				
Compensation for land Agricultural land	1,043.6	m2	\$ 5.00	\$ 5,218.00
Compensation for permanent structures	95.22	m2	\$ 200.00	\$ 19,044.00
Compensation for semi-permanent structures	287.78	m2	\$ 100.00	\$ 28,778.00
Compensation for temporary structures	119.88	m2	\$ 50.00	\$ 5,994.00
<b>Compensation for Crops</b>				
Compensation for annual yield loss Rice production for a year	1	Year (x 3 years)	\$ 596.29	\$ 1,788.87
<b>Compensation for Trees and Fruit Trees</b>				
Teakwood *	100	Pc	\$ 50.00	\$ 5,000.00
Palm *	8	Pc	\$ 15.00	\$ 120.00
Coconut	13	Pc (x 3 yrs.)	\$ 60.00	\$ 2,340.00
Banana	102	Pc (x 3 yrs)	\$ 5.00	\$ 1,530.00
Jambu air	1	Pc (x 3 yrs)	\$ 15.00	\$ 45.00
Lime	23	Pc (x 3 yrs)	\$ 10.00	\$ 690.00
Melon	59	Pc (x 3 yrs)	\$ 20.00	\$ 3,540.00
Aidak	9	P (x 3 yrs)	\$ 15.00	\$ 405.00
Avocado	7	Pc (x 3 yrs)	\$ 25.00	\$ 525.00
Papaya	35	Pc(x 3 yrs)	\$ 20.00	\$ 2,100.00 <sup>2</sup>
Jackfruit	9	Pc (x 3 yrs)	\$ 35.00	\$ 945.00
Kami'i	29	Pc(x 3 yrs)	\$ 30.00	\$ 2,610.00
Mango	57	Pc(x 3 yrs)	\$ 35.00	\$ 5,985.00
Bamboo *	13	Group	\$ 15.00	\$ 195.00
Guava	27	Pc(x 3 yrs)	\$	\$



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			10.00	810.00
<b>Transitional Allowance and Grants</b>				
Transitional allowances \$100 for 3 months for AHs losing their land	6	No. (x 3 months)	\$ 100.00	\$ 1,800.00
Shifting allowance for AH losing residential structure	11	No. (x 3 months)	\$ 100.00	\$ 3,300.00
Shifting allowance for affected permanent and semi-permanent kiosks equivalent to average monthly income	4	No. (x 2 months)	\$ 110.00	\$ 880.00
Transportation allowance	11	No.	\$ 100.00	\$ 1,100.00
Additional special assistance for vulnerable HH	36	No. (x 3 months)	\$ 100.00	\$ 10,800.00
Provision of seed to affected households		lumpsum		\$ 500.00
Monitoring Expenses	12	Months	\$5,000.00	\$ 60,000.00
<b>Total Direct Cost</b>				<b>\$ 166,042.87</b>
Administrative expenses, capacity building and training of ESU staff, internal monitoring and contingency			10%	\$ 16,604.28
<b>Total Budget</b>				<b>\$ 182,647.15</b>

Note: All rates have been based on the present market value in the project area. See appendix A. But a new/updated valuation table will be prepared if required during the valuation exercise.

**CHAPTER 21 IMPLEMENTATION SCHEDULE****21.1 Institutional Arrangements**

100. The implementation schedule of the resettlement plan broadly consists of land acquisition and resettlement activities. The timeframe for the implementation of RP will be synchronized with the project implementation in a way that the commencement and progress of civil works is not adversely affected.

101. The main activity to be implemented will be the validation of the RP by the PISC working closely with the PMU. The following activities will be undertaken:

- (vii) Update of the resettlement plan based on (a) validation survey to reconfirm/update the involuntary resettlement impacts such as lands to be acquired and other affected roadside assets, trees and crops and assess whether these impacts are significant (b) consultations with all affected persons and other stakeholders such as suco chiefs and district administrator, etc. to provide updates on the project and obtain agreement on the proposed involuntary resettlement activities;
- (viii) PMU and SC-SDS, MoJ and DLPCS to work together in conducting cadastral surveys for lands confirmed to be acquired;
- (ix) Update/prepare valuation based on full replacement cost at existing market price for all affected assets and lands to be acquired;

- (x) Disclosure of the updated resettlement plans to affected persons and ensure their feedback will be incorporated in finalizing the updated plan;
- (xi) Prepare disbursement of government funds for compensation and entitlements to affected persons;
- (xii) Establishment of grievance redress mechanism for the project; and preparation of the Compensation Completion Report and submission to ADB for clearance following payment of all compensation and entitlements to affected persons

102. MPWTC/PMU will begin the implementation process of the updated RP immediately after its approval by ADB. Grievances or objections (if any) will be redressed as per grievance redress procedures adopted in this RP. The steps for the delivery of compensation for all eligible AHs/APs will be the following:

v. **Preparation of invoices:**

Invoices for each of the eligible AHs/APs will be prepared by PMU. This document entitles each of the AHs/APs to receive the amount indicated in the invoice.

vi. **Delivery of money to local banks:**

Money from MPWTC/MOF will be remitted to a BNCTL bank in Baucau City. A bank account will be opened by the PMU to deposit the amount of compensation on behalf of the AHs/APs.

vii. **Payment:**

Each AH/AP will receive their compensation amount directly from PMU via BNCTL account service, the AH/AP shall sign a document acknowledging the receipt of the whole compensation and a waiver attesting that he/she has no longer any pending claims over the affected property. A photograph shall be taken with the AH/AP receiving the compensation as record of proof and as part of project documentation.

viii. **Identity of person:**

At the time of receiving the compensation, AHs/APs will present their *National Identity Card (NIC)*. The NIC is the basic document of the Timor-Leste's national for establishing the identity of a person. Persons without NICs will have to explain to the pertinent authorities the reasons why they are not in possession of the NIC.

## 21.2 Implementation Schedule

103. A tentative Resettlement Plan's implementation timeline schedule is proposed by the consultant subject to readjustment by the proponent (the Government) to its own schedule.

104. Table 10-1 presents the implementation schedule of the RP. However, sequencing may sometimes change due to circumstances beyond the control of the project. The funding for the implementation of the resettlement plan has already been secured.

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**Table 11-11 Implementation Schedule of the RP**

Activity	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Month 8			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Validation of the existing RP																																
PMU and SC-SDS, MoJ and DLPCS to work together in conducting cadastral surveys for lands confirmed to be acquired																																
Update/prepare valuation based on full replacement cost at existing market price																																
Submission of Final RP to MPWTC/ADB for review / approval																																
Revised and submission of final RP, addressing the comments																																
Formation of the GRC																																
Allocation of resettlement fund after validation survey																																
Translation of RP's information booklet into Tetum																																
Disclosure of approved RP and Distribution of Information Booklet																																
Preparation of Vouchers																																
Delivery of Compensation to APs																																
Submission of the Compensation Completion Report to ADB																																
Revision by PMU and clearance by ADB																																
Start possession of the site																																

## CHAPTER 22 MONITORING AND EVALUATION

### 22.1 Institutional Arrangements for Financing Resettlement

105. The implementation of the RP will be monitored by the PMU safeguards team to provide feedback to PMU/MPWTC and ADB and to assess its effectiveness. The evaluation of the resettlement activities will be done after the implementation of the RP to assess whether the resettlement objectives were appropriate and whether they were met. The evaluation will also assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement planning.

### 22.2 Internal Monitoring

106. The monitoring of all resettlement tasks, consultation tasks and reports to ADB will be conducted by the PMU Safeguards team. Monitoring will include reporting on the progress in the activities envisaged in the implementation schedule with particular focus on public consultations, land purchase (if required), determination of compensation, record of grievances and status of complaints, financial disbursements, and level of satisfaction among APs. Potential indicators for monitoring are briefed in Table 11-1 below.

**Table 11-12 Internal Monitoring**

Monitoring Issues	Monitoring Indicators
Budget and Time Frame	<ul style="list-style-type: none"> <li>Have all safeguard staff under ESU been appointed and mobilized for field and office work?</li> <li>Have the capacity building and training activities been completed?</li> <li>Are the resettlement implementation activities being achieved in accordance to the agreed upon implementation plan?</li> <li>Are funds for resettlement being allocated on time?</li> <li>Have the PMU received the scheduled funds?</li> <li>Have funds been disbursed according to RP?</li> </ul>
Delivery of AP Entitlements	<ul style="list-style-type: none"> <li>Have all APs received entitlements according to the numbers and categories of loss set out in the entitlement matrix?</li> <li>How many affected households relocated and built their new structure at the new locations?</li> <li>Are income and livelihood restoration activities if required being implemented as planned?</li> <li>Have the affected businesses received the appropriate entitlements?</li> </ul>

Monitoring Issues	Monitoring Indicators
Consultation, Grievances and Special Issues	<ul style="list-style-type: none"> <li>• Have resettlement information brochures/leaflets been prepared and distributed?</li> <li>• Have consultations taken place as scheduled including meetings, group gatherings, and community activities?</li> <li>• Have any APs used the grievance redress procedures?</li> <li>• What were the outcomes?</li> <li>• Have the conflicts been resolved?</li> </ul>
Benefit Monitoring	<ul style="list-style-type: none"> <li>• What changes have occurred in the patterns of occupation as compared to the pre-project situation?</li> <li>• What changes have occurred in the income and expenditure patterns as compared to the pre-project situation?</li> <li>• Have APs income kept pace with these changes?</li> <li>• What changes have occurred for vulnerable groups?</li> </ul>

### 22.3 Reporting

107. Resettlement monitoring reports will be sent to ADB along with regular progress reports semi-annually. The monitoring reports will be posted on the ADB website. Relevant information from these reports will be disclosed in the project areas and shall be available in local languages.

#### 4. Price List Reference

Resultado Kustu estimativa hosi Lider Lokais iha loron 13 fulan Agostu tinan 2013  
konaba auto estrada Dili – Manatuto – Baucau.

Descrisaun	Unidade	Presu US \$
Rai hela fatin	1m <sup>2</sup>	10
Natar	1m <sup>2</sup>	10
Quintal produtivu	1m <sup>2</sup>	10
Uma permanente	1m <sup>2</sup>	100
Uma Non permanente	1m <sup>2</sup>	80
Kios	1m <sup>2</sup>	50

Ai hahoris	Unidade	Presu \$
Ai Banin nian uman	Hun ida	100
Ai-kameli	Hun ida	50
Ai-teka	Hun ida	50
Kafé	Hun ida	30
Nú	Hun ida	25
Hás	Hun ida	25
Kamí	Hun ida	25
Aú	Hun ida	25
Kazús	Hun ida	25
Kulu	Hun ida	25
Fehuk	1m x 1m	5
Aidila	Hun ida	7
Goiava	Hun ida	5
Ai ferina	Hun ida	5
Aú betun	Hun ida	5
Jambu	Hun ida	5
Ai -ata	Hun ida	5
Sabraka	Hun ida	5
Derok	Hun ida	5
Belimbi	Hun ida	5
Ananas	Hun ida	1
Lis mean	Fatin ida	1
Ai-manas	Hun ida	5
Tua Akadiru	Hun ida	5
Tali akar	Hun ida	5



**Akte resultadu kustu estimativa konaba auto estrada Dili – Manatuto – Barique**

Ohin loron Terça – Feira data 13 fulan Agostu tinan 2013, Responsavel Lider lokais halao encontre hodi hasai decizaun komulativu konaba kustu estimativa atu bele atende urgentemente ba iha auto estrada hosi Dili – Manatuto – Barique.

Iha biban ida, lahaluha anexa mos naran Responsavel Lider Lokais sira nebe hato'o decizaun iha tempo né, mak naran hanesan tuir mai ;

No.	Naran	Pozisaun	Assinatura
1.	Dr. Aleixo Soares	Administrador Distrito	
2.	António da Silva Soares	ASD Manatuto Vila	
3.	Agripino da Silva S.R. Costa	ASD Laclubar	
4.	Mário Filomeno Cabral	ASD Lacio	
5.	Basildo Ximenes	ASD Laleia	
6.	Francisco Denis do Carmo Braz	ASD Soibada	
7.	Rui Gomes	ASD Barique	
8.	Adelino Soares	Xefe do Suco Aiteas	
9.	Sebastião Maneul de carvalho	Xefe do Suco Ailili	
10.	António dos Reis da Costa	Xefe do Suco Sau	
11.	João da Silva	Xefe do suco Ma-abat	
12.	Eurico Alves	Xefe do Suco Cribas	
13.	Ciriaco da Costa	Xefe do Suco Lifau	
14.	Gaspar de Fatima da Costa	Xefe do Suco Haturalan	
15.	Hermenegildo Soares	Xefe do Suco Orlalan	
16.	Martinho de Lima Ximenes	Xefe do Suco Leohat	



**Road Network Upgrading Sector Project (RNUSP)**

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Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

17.	António Soares da Costa	Xefe do Suco Manlala	
18.	Sebastião da Costa	Xefe do Suco Manehat	
19.	Feliciano Baptista	Xefe do Suco Umaboco	
20.	Agostinho da Cunha	Xefe do Suco Umakaduak	
21.	Bonéfácio Gomes Ssoares	Gestor DNEPU	
22.	Duarte da Costa	Coordenador Meio-ambiente	
23.	Jose Manuel Moniz da Silva	Xefe Dep. Agricultura	
24.	Miguel Soares	Director DTPSC Manatuto	

Manatuto, loron 13 fulan Agostu tinan 2013.

Visto pelo :  
Administrador Distrito de Manatuto,



Coordenador Ekipa,

  
Miguel Soares  
No. Id. : 743-9

**Road Network Upgrading Sector Project (RNUSP)**

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19.	Feliciano Baptista	Xefe do Suco Umaboco	
20.	Agostinho da Cunha	Xefe do Suco Umakaduak	
21.	Bonefácio Gomes Ssoares	Gestor DNEPU	
22.	Duarte da Costa	Coordenador Meio-ambiente	
23.	Jose Manuel Moniz da Silva	Xefe Dep. Agricultura	
24.	Miguel Soares	Director DTPSC Manatuto	

Manatuto, Ioron 13 fulan Agostu tinan 2013.

Visto pelo :  
Administrador Distrito de Manatuto,



Coordenador Ekipa,

Miguel Soares

No. Id. : 743-9

**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

Ministerio Agricultura e Pêscas				
TABELA PREÇOS AGRICULTURA E PÊSCAS				
No	No	Tipo Dados	Unidade	Preço/Unidade
I		Floresta		
	1	Ai-Teka	hun	
	1.A	Ai-Teka ki'ik	hun	\$ 5.00
	1.B	Ai-Teka <15 cmD	hun	\$ 20.00
	1.C	Ai-Teka >15 cmD	hun	\$ 30.00
	2	Mahoni		
	2.A	Mahoni ki'ik	hun	\$ 3.00
	2.B	Mahoni <15 cmD	hun	\$ 15.00
	2.C	Mahoni >15 cmD	hun	\$ 25.00
	3	Gamelina	hun	
	3.A	Gamelina ki'ik	hun	\$ 3.00
	3.B	Gamelina <15 cmD	hun	\$ 15.00
	3.C	Gamelina >15 cmD	hun	\$ 25.00
	4	Ai-Kameli	hun	
	4.A	Ai-Kameli ki'ik	hun	\$ 10.00
	4.B	Ai-Kameli <15 cmD	hun	\$ 40.00
	4.C	Ai-Kameli >15 cmD	hun	\$ 60.00
II		Plantas		
	1	Nu'u	hun	
	1.A	Nu'u seidauk fuan	hun	\$ 25.00
	1.B	Nu'u fuan ona	hun	\$ 60.00
	2	Kaliu	hun	\$ 15.00
	3	Kakao	hun	\$ 15.00
	4	Bua	hun	\$ 25.00
	5	Malus	hun	\$ 5.00
	6	Kami'l	hun	\$ 35.00
	7	Tohu	Klobor	\$ 5.00
III		Agricultura e Policultura		
	1	Fruticultura		

**Road Network Upgrading Sector Project (RNUSP)**

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**Road Link A06-02: Venilale-Viqueque**

2	Hudi	Klobor	\$	15.00
3	Sabraka	hun	\$	10.00
4	Derok	hun	\$	7.00
5	Ainanas	hun	\$	1.00
6	Guiava	hun	\$	4.00
7	Kulu Jaka	hun	\$	15.00
8	Kulu Modo	hun	\$	15.00
9	Has	hun	\$	25.00
10	Billimbi	hun	\$	5.00
11	Durian	hun		
12	Jambu be'e	hun	\$	7.00
13	Alata	hun	\$	5.00
14	Avocate	hun	\$	10.00
15	Kulu tunu	hun	\$	15.00
16	Rumao	hun	\$	4.00
17	Jambu Biji	hun	\$	7.00
18	Jambu Buah	hun	\$	7.00
2	<b>Vegetable Crops</b>			
1	Marungi	hun	\$	20.00
2	Brinjela	hun	\$	5.00
3	Tomate	hun	\$	5.00
4	Kobi	hun	\$	1.00
5	Repoiho	hun	\$	2.00
6	Mostarda	hun	\$	0.10
7	Alfase	hun	\$	0.20
8	Bayam	hun	\$	0.10
9	Kankung	hun	\$	0.05
10	Koto nurak	hun	\$	0.20
11	Fore chikote	hun	\$	0.20
12	Aj-manas	hun	\$	0.50
3	<b>Cerealia, Bens and tuber crops</b>			
1	Batar	hun	\$	0.25
2	Hare	hun	\$	0.10
3	Fore mungu	hun	\$	0.20
4	Fore keli	hun	\$	0.20
5	Fore rai	hun	\$	0.20



**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

	7	Alfarina	hun	\$	0.20
	8	Fehuk midar	hun	\$	1.00
	9	Uhi/Kumbili	hun	\$	1.00
	10	Talas	hun	\$	2.00
	11	Fehu eropa	hun	\$	1.00
4		Ornamentals	hun	\$	2.00
	1	Aifunan Bunga	hun	\$	5.00
	2	Aifunan Suratahan	hun	\$	5.00
	3	Aifunan Vasu	hun	\$	5.00
	4	Aifunan seluk	hun	\$	5.00
V		Pektuafla			
	1	Karau			
	1.A	Karau: <8	Luhan	\$	75.00
			Subsidi Transporte ho kareta	\$	75.00
	1.B	Karau: 8-30	Luhan	\$	100.00
			Subsidi Transporte ho kareta	\$	100.00
	1.C	Karau: 31-60	Luhan	\$	125.00
			Subsidi Transporte ho kareta	\$	125.00
	1.D	Karau: >61	Luhan	\$	150.00
			Subsidi Transporte ho kareta	\$	150.00
	2	Manu	Luhan	\$	100.00
	3	Fahi			
	3.A	Fahi <6	Luhan	\$	50.00
	3.B	Fahi 6-10	Luhan	\$	75.00
	3.C	Fahi >10	Luhan	\$	100.00
	4	Bibi			
	4.A	Bibi: <6	Luhan	\$	50.00
	4.B	Bibi: 6-10	Luhan	\$	75.00
	4.C	Bibi: >10	Luhan	\$	100.00
	1	Ro'o	Ro'o	\$	200.00
	2	Kolam	Kolam	\$	700.00

**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

1	Fatin tein masin	Fatin	\$	700.00

Dili, ... 18 ... / July / 2014

Confirmação hui Diretores Nacionais

1 Manuel Mendes  
Diretor Nacional Floresta

2 Fernando Egidio Amaral  
DNPI

3 Oscar Monteiro Gonsalves  
DNAH-Interinu

4 Calisto da Costa Varela  
DNPV

5 Agusto Fernandes  
DNPA

Verifica hui Diretor Jeral Ministerio Agricultura e Pesca (MAP)

Lourenço Fontes  
Diretor Jeral MAP

Aprovado hui Ministerio Agricultura e Pesca (MAP)

Mariano Assanami Sabino  
Ministro Agricultura e Pesca (MAP)

## 5. Questionnaire

### B.1 Census Questionnaire

#### IOL QUESTIONNAIRE (Assets Identification)

Date : \_\_\_\_\_

Questionnaire No. : \_\_\_\_\_

Segment : ☐ A01-01 ☐ A01-02

Station/sta : \_\_\_\_\_

Type of Location (Dili - Manatuto) : 1. Sisi Utara (kiri) jalan  
2. Sisi Selatan (Kanan) Jalan

District : \_\_\_\_\_

Sub-district : \_\_\_\_\_

Village : \_\_\_\_\_

Aldeia / Sub aldeia : \_\_\_\_\_

Respondent Photograph

(must be adult)

Write the code no if respondent in camera

#### A. Identification of Affected Assets

Asset No.	Affected Assets Type	Sta.	Asset Utilization		Ownership status	Proof of ownership	Asset Specification		Total Asset (p x l) m2	Affected Assets (p x l) m2
			(A.1)	(A.2)	(A.3)	(A.4)	(A.5)	(A.6)	(A.7)	(A.8)
1	Land									
2	Land									
3	Structure 1 (.....)									
4	Structure 2 (.....)									
5	Structure 3 (.....)									

#### Keterangan:

A. 1 1=Vacant land, 2=Agriculture land, 3=land for structure (mention the structure:.....)

A. 2 1=housing structure, 2=business place (kiosk, shop), 3=house and business place, 4=livestock cage, 5=fence, 6=toilet

A. 3 1=private owner/family, 2=official structure, 3=monthly rent, 4=annual rent, 5= living without paying, 6=other.....(mention)

A. 4 1=certificate of ownership, 2=no certificate, 3=government property, 4=tribal/custom land, 5= other.....(mention)

A. 5 1=single, 2=coupling, 3=terraced

A. 6 1=Permanent; 2=Semi-permanent; 3=Non- permanent; 4=Emergency/Temporary



**B. Profile of the Asset Owner:**

B.3. Name of the Asset Owner : \_\_\_\_\_

B.4. No. Identity Card : \_\_\_\_\_

B.5. District : \_\_\_\_\_

B.6. sub district : \_\_\_\_\_

B.7. Village/Suco : \_\_\_\_\_

B.8. Aldea / Sub-aldea : \_\_\_\_\_

Telephone/Mobile : \_\_\_\_\_

B.9. If renting, how much the price per month : US\$ \_\_\_\_\_

B.10. Proof of assets ownership (certificate, others ..... mention) : \_\_\_\_\_  
(write no and take picture if available)

B.11. Land price estimation (per m2) : US\$ \_\_\_\_\_

B.12. Structure price estimation (per m2) : US\$ \_\_\_\_\_

**C. Affected Trees in Project Corridors**

No.	Name of tree	Type of tree	Age (years)	No. Trees		Harvest estimation (m3/kg or other unit name)	Price	
				Quantity	Unit (cognate tree)		Value (US\$)	Per .... (m3/kg/tree etc)
	(C.1)	(C.1)	(C.2)	(C.3)	(C.4)	(C.5)	(C.6)	(C.7)
1								
2								
3								
4								
5								

Remarks: (1) 1= wood tree; 2=fruit tree; 3= wood and fruit tree

**D. Affected Crops in Project Corridors**

No	Name of crop	Type of crop	Age (months)	Total Area (m2)	Affected Area (m2)	Harvest estimation (kg)	Price per Kg (US\$)
	(D.1)	(D.1)	(D.2)	(D.3)	(D.4)	(D.5)	(D.6)
1							
2							
3							
4							
5							

Remarks: (1) 1=Vegetable; 2= Paddy; 3=banana tree

**E. Ownership of other assets (land/structure) that is not affected by project**

- E. 1** Do you have other land that is not affected by project? : 1. Yes, wide: .....m2  
2. No
- E. 2** If you have land that is not affected by project, where is the location? : 1. The same aldeia  
2. The same suco  
3. In other suco
- E. 3** Do you have other house that is not affected by project? : 1. Yes, wide: .....m2  
2. No
- E. 4** If you have house that is not affected by project, where is the location? : 1. The same aldeia  
2. The same suco  
3. In other suco

## B.2 Socio Economic Questionnaire

### IOL QUESTIONNAIRE (SOCIAL)

Name of Enumerator 1 :	Name of Respondent :
Code Enumerator 1 :	Telephone/Mobile :
Telephone/Mobile 1 :	
Name of Enumerator 2 :	Signature :
Code Enumerator 2 :	
Telephone/Mobile 2 :	

**Instruction:**

Please answer the question and **round** one of the answers if there is multiple choice question.

Date : \_\_\_\_\_

Questionnaire No. : \_\_\_\_\_

House code : \_\_\_\_\_

Segment : ☐ A01-01 ☐ A01-02

Station/sta : \_\_\_\_\_

Type of Location (Dili - Manatuto) :   
 1. Sisi Utara (kiri) jalan  
 2. Sisi Selatan (Kanan) Jalan

District : \_\_\_\_\_

Sub-district : \_\_\_\_\_

Suco/ Village : \_\_\_\_\_

Aldela / Sub aldela : \_\_\_\_\_

Respondent Photograph  
 (must be adult)  
 Write the code no if  
 respondent in camera

**A. Profile of Respondent (In accordance with Identity Card)**

A.1 Name of Respondent : \_\_\_\_\_

A.2 No. Identity Card : \_\_\_\_\_

A.3 Address : \_\_\_\_\_

A.4 Phone No : \_\_\_\_\_

A.5 Sex : \_\_\_\_\_

A.6 Age : \_\_\_\_\_

A.7 Status in Family : \_\_\_\_\_

**B. Information of Affected Household (HH) including Respondent**

B.1 No. of Household (HH) live in the house: ..... HH

B.2 Total No. of overall family member live in the house: ..... persons

No.	Name	Relationship to Household Head	Sex	Age	Religion	Ethnic	Education	Occupation		Monthly Income Estimation (US\$)	Physical Condition
								Main	Secondary		
		B.3	B.4	B.5	B.6	B.7	B.8	B.9	B.10	B.11	B.12
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											

**Answer option:**

(B.3) 1=Household Head, 2=Spouse, 3=Child, 4=maid, 5=relative, 6=other, mention .....

(B.4) 1=Male, 2=Female

(B.5) In years

(B.6) 1=Islamic, 2=Christian, 3=Catholic, 4=Hindu, 5=Budha, 6=other, mention .....

(B.7) 1=Wai-Mua, 2=Tetun, 3=Makassae, 4=Mambae, 5=Galolen, 6=Kairui, 7= other, mention .....

(B.8) 1=no formal education, 2=Elementary school, 3=Middle School, 5=High School, 6=diploma, 7=bachelor or above

(B.9) 1=Farmer, 2= fisherman, 3= seller of forest product, 4=business/trader/entrepreneur, 5=labor, 6=officer (Govt official/private/other), 7=retire, 8=unemployment, 9=other, mention .....

(B.10) 1=Farmer, 2= fisherman, 3= seller of forest product, 4=business/trader/entrepreneur, 5=labor, 6=officer (Govt official/private/other), 7=retire, 8=unemployment, 9=other, mention .....

(B.11) Put number

(B.12) 1=normal, 2=disability, 3=Chronic illness

**C. AMENITIES**

**c.1. Drinking source:**

1. Pipe; 2. hand pump; 3. Well; 4. River; 5. other, mention .....

**c.2. Distance from water source to house**

1. Distance .....m 2. Time needed ..... Minutes

**c.3. type of toilet / WC**

1. Swan neck; 2. Piengsengan; 3. Cempung/cubluk ; 4. No Toilet

**c.4. Energy for cooking**

1. Electricity; 2. Gas; 3. Kerosene; 4. Other, mention .....

**c.5. Electricity use:**

1. Light; 2. Cooking; 3. Business; 4. other, mention ..... **(Possible to choose more than one answer)**

**c.6. How many hour you get electricity in a day? ..... hour/day**

**c.7. what do you do/use when the electricity are off (no electricity) ?**

1. Kerosene 2. Battery / ACU 3. wood 4. none

5. Other, mention .....

## 6. Booklet

### 7. INTRODUCTION

1. The Asian Development Bank (ADB) is providing financial assistance to the Republic Democratic of Timor-Leste (RDTL) for improvement of road infrastructure under the Road Network Upgrading Project (RNUSP).
2. The project includes upgrading and improving the Venilale-Viqueque section with a length of about 35 km. As per requirement of the applicable laws of Timor-Leste including the Expropriation Act, complying with ADB's Guideline for Environmental Social Consideration on involuntary resettlement, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted for the project, the Ministry of Public Works, Transport and Communication (MPWTC) has prepared a Resettlement Plan (RP) to deal with the resettlement impact due to project intervention.
3. The RP describes the provisions established to address these impacts and the modalities for compensating the affected families (including compensation rates, special allowances and schedules). The RP for the project will be disclosed and made available to the public at the local MPWTC and district administration offices in the areas affected by the project. The PMU will also make this RP available to the public at the MPWTC headquarters in Baucau and Viqueque.
4. PMU has prepared this information booklet summarizing the main provisions of the RP which will be distributed to all families affected under the project.

### 8. RP Preparation Status

5. The RP has been prepared based on the preliminary design as of October 2015, drawing on the result of 100% survey of impact of the affected families (AFs), associated with socio-economic information of affected households. The RP also details compensation entitlements and rates/modalities for each affected item. Finally, the RP explains how compensation will be distributed to the AFs and how eventual complains will be handled. It also provides a schedule for the compensation program. Contents of the RP are summarized in the following sections.

### 9. Project Location

6. The National Road No. 1 Upgrading Project Baucau-Laga section is a part of Venilale-Viqueque section, with a length of about 35 km. The road will cover 2 sub districts; (Venilale and Viqueque) under the district of Baucau and Viqueque. It is a road strategically placed to link the districts of Baucau and Viqueque, which may further help to improve the area's business transactions activities in the future.

### 10. Resettlement Impact

7. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridors to the possible extent. However, it will inevitably be necessary to acquire some land and other assets for widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these

resettlement impacts, the present Final Resettlement Plan (RP) for the Baucau-Laga section has been based on the impact survey, census, and socio-economic survey of the affected persons (AP), as well as from consultations with the AP population and various stakeholders. The RP preparation has been carried out in line with ADB's Guideline for Environmental and Social Consideration (April 2010) requirements on involuntary resettlement and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Project.

8. The improvement of the Baucau-Laga section will involve the acquisition of land and other assets. A combined census and socio economic survey carried out in October 2015 shows that the project will have to acquire about 1,043.6 m<sup>2</sup> of land, about 15 units of structure and about 492 trees of different kinds along either side of the embankment, the estimated number of affected trees is expected to be greater. The total number of affected households has been estimated at 41 along with 191 affected persons (APs). A summary of impacts are shown in Table 1.

**Table 2: Summary of Impacts**

No	Impact Category	Type of Affected Assets	Number/Area of Impact		
			No.	Area	
1	Affected structure	a. Permanent	2	95.22	Sqm
		b. Semi-Permanent	5	287.78	Sqm
		c. Temporary	8	119.88	Sqm
		<b>Total Affected Structure</b>	<b>15</b>	<b>502.88</b>	Sqm
2	Affected Land Area	a. Agriculture land	6	1043.6	Sqm
		<b>Total Affected Land</b>	<b>6</b>	<b>1043.6</b>	<b>Sqm</b>
3	Affected Trees	a. Timber trees	121	-	Trees
		b. Timber and fruit trees	57	-	Trees
		c. Fruit trees	314	-	Trees
		<b>Total Affected Trees</b>	<b>492</b>	-	Trees
4	Affected Crop	<b>Total Affected Crop</b>	<b>340.7</b>		Kg
5	Affected Public Utilities	a. Water pipeline (Crossing)	30	450	Meters
		b. Water pipeline (Along side)	-	5,000	Meters
		c. Concrete Electric Pole (Single)	67	-	Unit
		d. Water reservoir	1	-	Unit

## 11. Resettlement Budget

9. A preliminary estimate for compensation for the Venilale-Viqueque Road improvement sub-project will require a total of **\$161,502.32**, out of which, **\$146,820.29** will be spent on direct resettlement expenses while the rest is kept to meet the resettlement staff training, internal monitoring, administrative and contingency expenses. The included cost items are in compliance with the RF prepared for the project. A more detailed budget will be available after the cadastral surveys are completed and valuations worked out by MOJ and PMU.

### 11.1. Compensation Determination Procedure



10. As per provision of the RF for the project, PMU shall include an international safeguards specialist who will verify the process, and documents the consultations and agreements reached on behalf of the PMU. It is of utmost importance to verify that APs are fully informed of the compensation payments that they are entitled to. A third party, such as a non-government organization (NGO) or civil society organization (such as a church), will provide independent validation and that: (i) the consultations have been undertaken, meaningfully, freely, and in good faith; and (ii) land owners have willingly given/sold the land for the project works.
11. The established grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will support to solve any disputes and complaints from APs.
12. The MOJ and DLPCS will set up a committee under the Directorate and coordinate with the PMU, with assistance of a professional valuation expert provided under the project. This will establish a basis for valuation of the affected land and properties and other assets according to the ADB's Safeguards Policy since the country's Expropriations Act has not been approved by the parliament.

## **12. Contact Details for Inquiry**

13. For further information about the project as a whole, and/or the RP for the Venilale-Viqueque Road under the Road Network Upgrading Project, please contact the PMU/MPWTC at the address given below.

**Project and Financial Manager  
Project Management Unit  
Road Network Upgrading Sector Project  
Ministry of Public Works, Transport and Communication  
Dili, Timor-Leste  
Phone: (+670) - 3311024/3311025**

## 7. Public Consultation Meeting

### Road Network Upgrading Sector Project (RNUSP): Baucau – Venilale (A06-01)

#### Suco Uailili Public Consultation Meeting Record

September 04<sup>th</sup>, 2015

Name of meeting	:	Public Consultation Meeting for Environmental and Social Economic Survey in Suco Uailili Sub-district Baucau	Note by	:	Ms. Dirce M. Pereira (National Environment Specialist)
Date	:	04/09/2015	Presenter	:	3. Mrs. Rosalyn Fernandes (International Environment Specialist) 4. Ms. Dirce M. Pereira (National Environment Specialist)
Place	:	Suco Uailili Office	Number of participants	:	<b>Total = 43</b> (M= 19, F= 24)
Participants	:	4. Chief of <b>Suco Uailili</b> 5. Chief of Aldeia in <b>Suco Uailili</b> 6. Community members			
Taking Points	:	<p><b>5. Mrs. Maria Jose</b></p> <ul style="list-style-type: none"> <li>➤ The affected house will get compensation. What happen to the houses that are not affected, should we move out or stay?</li> <li>➤ The road will be widened to the right and left sides, how many meters?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ The affected house will have compensation according to the type of houses/residences; which are temporary house, semi-permanent house and permanent house. Houses that are not affected could stay where they are, residents do not have to worry.</li> <li>★ Physical implementation of improvement works includes widening of existing road to achieve a width of 10 to 12 meters on the flat sections and a width of 12 to 14 meters on the ridge or hillside section, consisting 6 meters wide of carriageway and about 1 meter wide shoulders on each side. There could also be drainage lines or embankment/slope retaining walls depending on the design.</li> </ul> <p><b>6. Mr. Marito</b></p> <ul style="list-style-type: none"> <li>➤ Can the alignment road change? Because there is an alternative road built on community land that community can offer. Currently, the alternative road has not been sealed with asphalt but the road has been hardened and is passable. If the alternative road is being rehabilitated rather than current</li> </ul>			

	<p>alignment, it will save many properties along the current alignment.</p> <ul style="list-style-type: none"> <li>➤ My family's customary house ("uma lulik") is located very close to existing alignment. Worried that the structure might be affected and wondering that for customary houses, how much compensation will be paid? Is it the same as affected residential structure?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ The current alignment can change because currently we are in detailed design stage. But to change from existing alignment into alternative road, we need to assess in more detail. So what we will do is, we will go and see the alternative road, note it in the plans and report to the engineers that are developing the detailed design in Dili. But community has to keep in mind that final decision to rehabilitate which road is in the hand of Ministry of Public Work not the consultant. So we will assess and discuss this in Dili.</li> <li>★ Compensation for affected customary store house (Uma Adat/Uma Lulik) is different from compensation for affected residential structure. For Uma Lulik, there will be additional consideration since rebuilding will likely require customary ritual and gathering of the clan.</li> </ul> <p><b>7. Mrs. Cesaltina F. Ximenes</b></p> <ul style="list-style-type: none"> <li>➤ Suggestion: regarding alternative road, we suggest that the team consider it because it will save a lot of houses and structures along current alignment. The church which has recently been rehabilitated might also be affected.</li> <li>➤ Question: if the veranda of a house is the only part affected, does it also get compensation?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thank you for the suggestion. We will seriously look into the alternative road issue. The alternative road has been preliminarily assessed with results reported to the engineers. Uailili Church located at STA09+480(20mLeft) will not be affected from the rehabilitation work.</li> <li>★ For structures affected, there will be compensation. For residential structures, even if only the veranda is affected, the whole structure will be measured and compensation calculation will be considered for the whole structure.</li> </ul> <p><b>8. Mrs. Catarina da Piedade</b></p> <ul style="list-style-type: none"> <li>➤ In the case that an affected house can not be rebuilt on the same plot because the rest of the plot is on steep slope and prone to landslide, how will the team resolve it?</li> <li>➤ Just want to say that at this time, I do not want to comment much. But when implementation is on-going, I might comment more based on my observation</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Regarding affected houses that can not be restructured on the same plot, the team that will conduct detailed survey will coordinate with Public Work, the Project Management Unit that is under Public Work, local leader and affected</li> </ul>
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		person/household to find a suitable property to build the new house. The principle of social safeguarding is to provide solution that is fair and just for the owner of affected property as well as the government who has to pay compensation. So when there are problems, we will look for solution that is fair for everybody.
Pictures	:	

Attendance Sheet to  
Socialization Meeting, Suco Uailili

**Sub-project: Road Network Upgrading Sector Project**

**Venue:** Uailili Suco Administrative Office, Baucau, Baucau District **Date:** September 04<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Hernani De J.A. Ribeiro	M	Chief suco of Uailili	Samalaculiba	+670 77310755
2	Jose João M. D. C.	M	Community	Samalaculiba	+670 77259779
3	Pancrácio F. Guterres	M	Community	Uai-Monoboe	-
4	Cesaltina Fernandes X.	F	Teacher	Samalaculiba	-
5	Sergio De Jesus	M	Community	U.R de Cima	-
6	Fransisca Maria Fernandes	F	Community	U.R de Cima	-
7	Maria Jose Freitas	F	Teacher	Afagua	-
8	Beatriz da C. X.	F	Community	Ledatame	-
9	Juleita do Rosario Freitas	F	Community	Samalaculiba	-
10	Antonio Fatima	M	Chief of Aldeia	U.R de Baixo	-
11	Norberto Ximenes	M	Community	U.R de Cima	-
12	Jorge Freitas	M	Chief of Aldeia	U.R de Cima	-
13	Olga De A. Ribeiro	F	Community	Samalaculiba	+670 77327434
14	Cireneu Da Costa Freitas	M	Student	Alala	+670 77409749
15	Custodio M. Belo	M	Chief of Aldeia	Manulai	-
16	Ricardo	M	Community	Manulai	-
17	Cancio Henrique Belo	M	Community	Uatu- Bala	+670 77717144
18	Marcelino Evaresto Freitas	M	Community	U.R de Cima	+670 77447503
19	Catarina Piedade	F	Community	Manulai	-
20	Aquelina F. Fraga	F	Community	Uatu-Bala	+670 78015282
21	Maria Freitas Ximenes	F	Community	U.R de Cima	+670 77990935
22	Mario Pereira	M	Community	Manulai	+670 77066032
23	Nicolau Marques	M	Community	U.R de baixo	+670 77464792
24	Jose de Jesus	M	Community	Ledatame	+670 78866339
25	Josefina Da Costa	F	Community	U.R de Baixo	-
26	Maria Pasquela Freitas	F	Community	U.R de Baixo	-
27	Maria Madalena M.	F	Community	Ledatame	-
28	Felicidade Filipe Marques	F	Teacher	U.R de Baixo	-
29	Ana Bemvinda da Costa F.	F	Community	U.R de Baixo	+670 78015000
30	Albertina Castro	F	Community	Samalaculiba	-
31	Josefina Serra	F	Community	Samalaculiba	-
32	Macay Gusmão de Piedade	M	Civil Society	Samalaculiba	+670 77341675
33	Saturnina F. Xavier	F	Community	U.R de Baixo	+670 77532319
34	Carlos Augusto Amaral	M	Community	U.R de Baixo	+670 77306868
35	Francisca da Costa Tilman	F	Community	Samalaculiba	-
36	Selita Sarmento	F	Community	Samalaculiba	-
37	Zefarina	F	Community	Samalaculiba	-
38	Jose De Sousa Xavier	M	Chief of Aldeia	Afalaimau	+670 77965297
39	Domingos Ximenes	M	Community	Afalaimau	+670 77619139
40	Alice Correia	F	Community	Afagua	-
41	Isabel Da Piedade	F	Community	Afagua	-
42	Dirce Madalena Pereira	F	Nat. Env. Sp	Dili	+670 78487307
43	Rosalyn Fernandes	F	Inter. Env. Sp	Dili	+670 73058357


**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale – Viqueque  
Section**

**Suco Gariuai Public Consultation Meeting Records (September, 04<sup>th</sup> 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Gariuai, Sub-district Baucau	Note by	:	Ms. Dirce M. Pereira (National Environment Specialist)
Date	:	<b>04 September 2015</b>	Presenter	:	3. Mrs. Rosalyn Fernandes (International Environment Specialist) 4. Ms. Dirce M. Pereira (National Environment Specialist)
Place	:	<b>Socu Gariuai Office</b>	Number of participants	:	<b>Total = 35</b> M=26, F=9
Participants	:	4. Chief of <b>Suco Gariuai</b> 5. Chiefs of Aldeias of <b>Suco Gariuai</b> 6. Community members			
Taking Points	:	<p>10. <b>Mr. Jose Freitas</b></p> <p>➤ How wide will the new road be?</p> <p>Response:</p> <p>★ Improvement works will widen existing road to achieve 6m wide asphalt, however, the total width of the road could reach 10 to 12m on the flat sections because we need to add road shoulders on the left and right side of the road, drainage and embankment walls. Along the ridge and hillside section, the road could be between 12 to 14m because there is a need to cut the hills, install drainage and retaining walls.</p> <p>11. <b>Mr. Jose Maria Freitas</b></p> <p>➤ The team talked about the 5m of RoW. How will we measure the 5m, will we measure it from the centerline?</p> <p>➤ For compensation payment, when can we get it?</p> <p>➤ How about houses or productive trees built/plant after detailed survey. Will it get compensation</p> <p>Response:</p> <p>★ 5m of RoW will be measured from the side of existing road (sides of asphalt).</p> <p>★ First of all, we need to emphasize again that only those that are affected will get compensation. How will we know those that get compensation? There will be a detailed survey in about one month from now. The compensation will be paid to the affected household/person before road rehabilitation activities</p>			

	<p>start.</p> <ul style="list-style-type: none"> <li>★ Compensation list will be based on detailed survey that will be conducted in about a month; If there are newly constructed structure/plants that were built after detailed survey, it will not be compensated.</li> </ul> <p><b>12. Mr. Paulo Da Costa Guterres</b></p> <ul style="list-style-type: none"> <li>➤ For those properties with land deeds from Indonesian time, will it still be recognized?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ For properties with land deeds from Indonesian time, the land deeds are valid and can be presented during detailed survey. However, the 5m RoW will still be in effect.</li> </ul> <p><b>13. Mr. Jose Gomes Belo</b></p> <ul style="list-style-type: none"> <li>➤ When will the road construction start?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Road construction might be happen in 2 or 3 more years from now. Prior to that, compensation payment will be implemented.</li> </ul> <p><b>14. Mr. Jorge da Piedade Gusmão</b></p> <p>Sugestion:</p> <ul style="list-style-type: none"> <li>➤ Accident prevention: the curve road should be smoother.</li> <li>➤ Road Network Upgrading Sector Project (RNUSP) is funded by ADB, the quality of the project should be international standards.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thanks for your suggestion.</li> </ul> <p><b>15. Mr. Jose Freitas (Lia Nain)</b></p> <ul style="list-style-type: none"> <li>➤ The soccer field and basketball court (STA13+360 to STA13+560) could be affected. Can we save them?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ We will look into the detailed design and the community will know for sure whether the soccer field and basketball court will be affected during the detailed survey.</li> </ul> <p><b>16. Mr. Florimundo Gusmão</b></p> <ul style="list-style-type: none"> <li>➤ There are houses in front of soccer field. If the road is going to be widened, better be towards the soccer field because it is empty land.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ We will check the detailed drawing. The principle is to save as many</li> </ul>
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	<p>properties as possible, but road widening will also be according to certain engineering principles, for example, curves have to be smoother and certain road has to be widened toward certain direction to ensure faster moving traffic. So, we will check the detailed design but also note community's preference. Sometimes we can follow community's preference but other times we have to stick to the design.</p> <p><b>17. Mr. Paul da Costa Guterres</b></p> <p>➤ Yes, I think it is better to widen toward the soccer field because across the road, there are a lot of houses and also there is the suco office which currently also being used as pre-school and kindergarten for the children.</p> <p>Response:</p> <p>★ Thank you for the input. We will note all that has been suggested. Checked the detailed drawing and the road section between STA13+360 and STA13+560 will be widen towards the soccer field so generally in line with the majority of community's input.</p> <p><b>18. Mr. Elvino</b></p> <p>➤ Some areas along the road within the suco were eroded so community planted trees, some are teak, others are non-productive trees such as Ai Hali. These trees have been doing its job holding up erosion along the road. If affected, will the trees be compensated?</p> <p>Response:</p> <p>★ When it is productive trees, they will be compensated. Now the question, whose trees are they? For this kind of cases, we will discuss closely with local authority so we can determine who the compensation should be paid to.</p>
<p>Pictures</p>	<p>:</p> 


Attendance Sheet to  
Socialization Meeting, Suco Gariuai**Sub-project: Road Network Upgrading Sector Project****Venue:** Gariuai Suco Administrative Office, Baucau, Baucau District **Date:** September04<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Ambrosio Freitas	M	Community	Uatu-Rau	-
2	Armando Freitas	M	Community	Gari-Uai	-
3	Jorge da p. Gusmão	M	Community	Gari-Uai	+670 77263962
4	Jose Freitas	M	Community	Gari-Uai	-
5	Bonifácio José Maria	M	Community	Uatu-Rau	+670 77278843
6	Domingos Sequera	M	Traders	Uatu-Rau	+670 78624533
7	Graciano Freitas	M	Community	Gari-Uai	+670 77402403
8	Celestina X. Belo	F	Community	Uatu-Rau	-
9	Nazario J. E. Ximenes	M	Chief of Aldeia	Maucale	-
10	Jerafin Marcal	M	Community	Gari-Uai	-
11	Almeida D. Marcal	M	Community	Gari-Uai	+670 77322715
12	Marselino Freitas	M	Chief of Aldeia	Gari-Uai	-
13	Clarimundo Gusmão	M	Chief of Aldeia	Uatu-Rau	+670 77358839
14	Bemvindo Belo	M	PAAS	Baha-Mori	+670 77759763
15	Placido Freitas	M	Teacher	Uatu-Rau	-
16	Patricio Freitas	M	Teacher	Uatu-Rau	+670 77386637
17	Lourenço Freitas	M	Community	Uatu-Rau	-
18	Cesarina F. Freitas	F	Rep. Feto Rua	Uatu-Rau	-
19	Salvador da Luz	M	Agriculture	Cai-Riri	+670 77422950
20	Julio Boavida Belo	M	Chief of Aldeia	Cai-Riri	+670 77474855
21	Maria Lidia de Jesus B.	F	Chief of Suco	Gari-Uai	+670 77314817
22	Jacinto Freitas	M	Chief of Aldeia	Baha-Mori	-
23	Paulo da Costa Guterres	M	Community	Cai-Riri	+670 77055580
24	Adelia Freitas Ferreira	F	Community	Cai-Riri	-
25	Jose Marcal Freitas	M	Community	Gari-Uai	+670 77363233
26	Jose Freitas	M	Lia nain	Gari-Uai	-
27	Manuela do Rosario	F	Community	Uatu-Rau	+670 77268587
28	Luciana Freitas	F	Community	Uatu-Rau	+670 77405125
29	Barbara Belo	F	Community	Uatu-Rau	-
30	Mariano Andre Freitas	M	Community	Baha-Mori	+670 77407057
31	Simplicio X. Sarmento	M	Community	Baha-Mori	+670 77267980
32	Roberto Freitas	M	Community	Gari-Uai	+670 77494020
33	Jose Gomes Belo F.	M	Community	Gari-Uai	+670 77239851
34	Dirce Madalena P.	F	Dongsung	Dili	+670 78487307
35	Rosalyn Fernandes	F	Dongsung	Dili	+670 73058357

**Road Network Upgrading Sector Project (RNUSP) Baucau - Venilale - Viqueque  
Suco Fatulia Public Consultation Meeting Records (September, 05<sup>th</sup> 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Fatulia, Sub-district Venilale	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>05 September 2015</b>	Presenter	:	3. Mrs. Roslyn Fernandes (International Environment Specialist) 4. Ms. Dirce Pereira (National Environment Specialist)
Place	:	Community center at <b>Fatulia suco</b>	Number of participants	:	<b>Total=29</b> (M= 24, F=5)
Participants	:	8. Chief of <b>Suco Fatulia</b> 9. Chief of Aldeias of <b>Suco Fatulia</b> 10. Community Member			
Taking Points	:	<p><b>7. Mr. Domingos Pereira Ximenes</b></p> <ul style="list-style-type: none"> <li>➤ I think this development plan is good and will help the areas here developed more.</li> <li>➤ How is the compensation for productive trees and paddy fields be paid?</li> <li>➤ There are sacred springs near to existing road, if it affected please coordinate with authority local and Lia nain to organize cultural event before removing the sacred water, otherwise the community will get in trouble.</li> <li>➤ Some houses had been built in landslide-prone areas, they can be impacted from climate change and it might be fatal for the community. In this case what should we do and what can the contractor do?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thank you for your support to the development.</li> <li>★ Productive trees and paddy fields will be compensated according to a price table produced by Ministry of Agriculture. So what we do related to compensation are all according to regulations and procedures that are being coordinated with competent ministries. This way we ensure that the implementation is the same whether the project is in Liquica or in Baucau or in Lautem.</li> <li>★ Thanks for information. Environment team will do assessment to the sacred water spring, if it might be affected will coordinate with Lia Nain and Authority Local. <b>The spring is more than 50m from the side of the road.</b></li> <li>★ Landslide is part of environmental risks in areas with steep slopes like this village. And what was stated was right, climate change cause changes in rainfall sometimes the rain is more concentrated in a shorter period of time and leads to landside. When possible, do not build in steep slope area but we</li> </ul>			

	<p>do understand that sometimes community has no option. What community can do, community can develop terraces, drainage lines and plant trees so help with the erosion.</p> <ul style="list-style-type: none"> <li>★ For road construction, to prevent landslide, we will construct retaining wall, implement bioengineering measures and provide drainage lines.</li> </ul> <p><b>8. Mr. Jose Ximenes</b></p> <ul style="list-style-type: none"> <li>➤ I heard that in Dili the compensation for affected house is flat at certain rate e.g. USD2,500. So, how much compensation for affected houses will be paid by this project?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ We have heard this type of comment during Public Community Meeting in other sucos. We would like to state that the compensation will not be at flat rate like mentioned. Compensation will be according to the size of the house and the type of material used to construct the house. The houses/structures will be categorized into – (i) temporary, (ii) semi-permanent and (iii) permanent. So, compensation will be different for affected houses.</li> </ul> <p><b>9. Mr. Thomas Modesta de Castro</b></p> <ul style="list-style-type: none"> <li>➤ Does regular house will be compensate?</li> <li>➤ In my experience during previous construction work, contractor dumped a lot of leftover asphalt in front of my house. This causes declining soil quality and leads to ponding during the rainy season. Not happy about that.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Any type of affected houses will be compensated.</li> <li>★ Leftover asphalt and other spoils should not be dumped in front of people's properties. They should be dumped at proper places previously designated in coordination with local authority and district officer of NDE. Sometimes, even though contractor has been made clear of the need to protect the environment and local community, they still do otherwise. When this kind of things happen, local community can complaint to chefie de suco who can complaint to the contractor directly or to the consultants that are supervising activities on the ground.</li> </ul> <p><b>10. Mr. Domingos Pereira Ximenes</b></p> <ul style="list-style-type: none"> <li>➤ Impact on public health, especially due to dust from construction activities. Usually what happen in Timor Leste, contractor doesn't want to be bothered by it.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Contractor will be obligated by contract to protect local community from getting impacted from dust. Prolonged or severe dust exposure could cause Respiratory Tract disease that could severely affect the health of children and older residents. So, the contractor is obligated to spray and compact, more</li> </ul>
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	<p>than once a day in villages or areas where there are concentration of population.</p> <p><b>11. Mr. Domingos Jose Do Rego</b></p> <p>➤ During previous road rehabilitation work, contractor mobilized heavy machinery near houses and some structures are affected (ruptures on the walls). I hope during this project, the contractor will do better and no structures will be affected like that.</p> <p>Response:</p> <p>★ Thanks for notification. Vibration impacts could cause ruptures to structures like mentioned and mobilization of heavy machinery should be carefully conducted near concentration of structures. This will definitely be noted in the Environmental Management Plans and should this kind of things happen again, community should not hesitate to complain to the chefi de suco who will complain to the contractor or consultant that is overseeing the construction activities.</p> <p><b>12. Mr. Raimundo Pereira</b></p> <p>➤ There is a spring near my house, will it be removed?</p> <p>Response:</p> <p>★ Springs located near the road project will be protected as much as possible, especially those springs that are providing water to households because water is important.</p>
<p>Pictures :</p>	

## Attendance Sheet to

**Sub-project:** Road Network Upgrading Sector Project**Venue:** Fatulia Suco Administrative Office, Venilale, Baucau District **Date:** September 05<sup>th</sup>, 2015


No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Constancio J. Do Rego	M	Chief of Suco	Fatulia-Ana	+670 77274506
2	Domingos Do Rego	M	Community	Ossu-Uague	+670 77280794
3	Tomas Modestade Castro	M	Teacher	Ossu-uague	+670 78193115
4	Martinho Ruas da Silva	M	Teacher	Uai-Tobonu	+670 77493188
5	Jose Ximenes	M	Community	Uai-Tobonu	+670 77108870
6	Alfredo da Costa Pereira	M	Community	Baha-Dato	-
7	Wilson Monteiro Soares	M	Partisipant	Baha-Dato	+670 77883609
8	Alexandro Monteiro S.	M	Community	Baha-Dato	+670 77326539
9	Alarico de Castro	M	Community	Uai-Tobonu	-
10	Jose Lino Pereira	M	Community	Baha-Dato	-
11	Raimundo Pereira	M	Community	Uai-Tobonu	-
12	Joaquim Alberquerque	M	Community	Uato-Liana	-
13	Armindo de Castro	M	Community	Baha-Dato	-
14	Agostinha Pereira	F	Community	Uai-Tobonu	-
15	Amandina P. Ximenes	F	Community	Uai-Tobonu	+670 78033141
16	Dolorosa Florida Pereira	F	Community	Uai-Tobonu	+670 77333845
17	Matias X. Cardoso	M	Community	Baha-Dato	-
18	João da Silva	M	Community	Baha-Dato	-
19	Bernardino Dos Reis	M	Community	Uai-Tobonu	-
20	Domingos Pereira X.	M	Community	Uai-Tobonu	-
21	Francisco do Rego	M	Community	Uato-Liana	-
22	Agapito Amaral Ximenes	M	Community	Uai-Tobonu	-
23	Manuel Rangel	M	Community	Baha-Dato	-
24	Elvino do Rosario Ruas	M	Community	Baha-Dato	-
25	Ronaldo de Carvalho	M	Community	Baha-Dato	-
26	Joanico De Sousa S.	M	Community	Uai-Tobonu	-
27	Jose Ximenes	M	Community	Uai-Tobonu	-
28	Dirce Madalena P.	F	Dongsung	Dili	+670 78487307
29	Rosalyn Fernandes	F	Dongsung	Dili	+670 73058357

**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale - Viqueque  
Suco Uato-Haco Public Consultation Meeting Records (September, 10<sup>th</sup>, 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Uato-Haco, Sub-district Venilale	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>10 September 2015</b>	Presenter	:	5. Mrs. Rosalyn Fernandes (International Environment Specialist) 6. Ms. Dirce Pereira (National Environment Specialist) 7. Ms. Maria P. Ribeiro (National safeguard Specialist) 8. Mr. Carlos De Deus (PMU)
Place	:	Community Centre at <b>Uataco Suco</b>	Number of participants	:	<b>Total=23</b> (M=16, F=7)
Participants	:	4. Chief of Suco <b>Uataco</b> 5. Chief aldeias of Suco <b>Uataco</b> 6. Community members			
Taking Points	:	<b>6. Mr. Alexandre Manuel da Cruz</b> <ul style="list-style-type: none"> <li>➤ How do we relocate water springs that are near the road side?</li> <li>➤ Will affected houses including customary house/Uma Adat be compensated?</li> <li>➤ Construction/rehabilitation road always cause dust. The community is worried about it.</li> <li>➤ For next meetings and any other activities please continue to coordinate with chefi suco and community.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Depending on the structure of the aquifers that make up the spring, that is, how water is seeping out of the rock layer as well as the size of the aquifer, some springs can be relocated away from the road and some can not. In the case there are springs, especially important springs providing water to many households around, the springs should be protected as much as possible. Realignment of road can be done to protect the spring.</li> <li>★ All affected houses will be compensated including uma adat/uma lulik. Affected regular houses will be compensated according to what has been explained before – based on size and material. For uma adat, there will additional compensation for ritual that needs to be conducted since rebuilding uma adat requires more than just material.</li> <li>★ Yes, dust is one of the most common environmental impacts usually felt by local community. To help reduce dust, the contractor will be required to spray the area more than once a day for village area or other areas where there are high concentration of people.</li> </ul>			



	<p>★ We will continue to coordinate with local authorities related to the preparation and construction activities. Thanks for the input.</p> <p><b>7. Mr. Tonito Tomas de Sousa</b></p> <ul style="list-style-type: none"> <li>➤ Technically how to remove natural springs water from the project area?</li> <li>➤ Suggestion: please coordinate with technical team to relocate the springs near the road.</li> <li>➤ How about irrigation lines, will they be removed before rehabilitation?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Terima kasih atas informasinya. Mata air yang ada akan kami cek dan lapor ke teknisi.</li> <li>★ The environmental team will assess the springs near the road in this suco and then we will know for sure whether there will be a need to relocate the springs or not. Most likely, when there is affected important springs, we will notify the engineers that if possible, road plans be adjusted to save the springs because it will be hard to relocate springs. <b>Assessment of the springs have been conducted at STA25+120 (two springs on the right side separated about 20m from each other, one with larger volume of water than the other one) and the other one is located at STA25+400 (5m Right). None of the springs will be affected from development.</b></li> <li>★ Thanks for the suggestion. We will coordinate all activities conducted related to this project with chefi de suco and chefi de aldeia.</li> <li>★ All of public utilities (Irrigation, electricity lines and water supply pipes) that are near the road and affected from the development will be relocated prior to the start of construction activities.</li> </ul> <p><b>8. Mr. Jose de Carvalho</b></p> <ul style="list-style-type: none"> <li>➤ Concerning fatin lulik and other things near the road, these can be relocated or removed. However, agricultural activities are our livelihood and need to be maintained. Just want to emphasis that crops and paddy fields that are affected need to be compensated.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ We should actually say all productive plants will be compensated so it is not only productive trees that will be compensated. So, rice plants and even peanuts will be compensated when they are affected. As we mentioned, the compensation will be different for different types of plants, according to a table produced by the Ministry of Agriculture.</li> </ul> <p><b>9. Mr. Manuel Bento da Silva (Chief of Suco)</b></p> <ul style="list-style-type: none"> <li>➤ Community does not dispute the road widening program. Just be aware about our public springs near the road.</li> <li>➤ How about unproductive plants such as Ai Hali, Ai Café and Ai Nitas that have</li> </ul>
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	<p>been planted by community, would these trees be compensated as well?</p> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thank you for your input.</li> <li>★ Unproductive trees or plants that cannot be eaten or sold in the market will not be compensated. We are aware that some of these trees have been planted by local community and some were planted for good reasons, for example, to arrest erosion near the road. When determined as affected, these trees will be cut and the timber be returned to the owner. Unfortunately, these trees will not be compensated because we can not compensate for everything, it would be very expensive. There has got to be a boundary somewhere.</li> </ul> <p><b>10. Mr. Claudino da Silva</b></p> <ul style="list-style-type: none"> <li>➤ Community never heard of the policy of 5m RoW before. I am a bit concerned especially related to paddy fields, these fields have been passed down for different generations so they should be counted as belonging to the community members.</li> <li>➤ Suggestion: the coordination of implementation road project should always be updated to community and local authority so community is clear of what is coming up next.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Currently, land ownership law is still not being approved yet. Once it is approved we can say for sure that the 5m RoW is based on law in effect. It is actually an international practice in different countries that lands to the left and right sides of the road should be clear from development to accommodate future expansion of the road. Therefore, the government of TL took the same policy.</li> <li>★ Thank you for the input. Project consultation meetings between community, local leaders and consultant will continue until the final of process compensation payment.</li> </ul>
Picture	<p>:</p> 

Attendance Sheet to  
Socialization Meeting, Suco Uato-Haco


**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Uato-Haco Suco Administrative Office, Venilale, Baucau District **Date:**  
September 10<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Manuel Bento da Silva	M	Chief of Suco	Uato-Haco	+670 77909687
2	Alexandre M. da Cruz	M	Chief of Aldeia	Uai-Talibu	+670 78012326
3	Martinho Soares	M	Community	Uai-Talibu	-
4	Agostinho Ximenes	M	Community	Uai-Talibu	+670 77802529
5	João do Amaral	M	Community	Uai-Talibu	-
6	Gaspar Guterres	M	Community	Uai-Talibu	-
7	Claudio da Silva	M	Community	Uma Ico	-
8	Jose Fransisco Matos	M	Community	Uai-Talibu	-
9	Timotio Tomas De Sousa	M	Community	Uai-Talibu	-
10	Zito Amaral Guterres	M	Community	Uai-Talibu	-
11	Jose De Carvalho	M	Community	Uai-Talibu	-
12	Agustino da Cruz	M	Community	Uai-Talibu	-
13	Pedro Amaral	M	Community	Uai-Talibu	+670 77275122
14	Manuel Monteiro	M	Community	Uai-Talibu	+670 77509604
15	Mateus X. D.C. Soares	M	Community	Uai-Talibu	-
16	Maria Ines da Silva	F	Community	Uai-Talibu	-
17	Domingas Guterres	F	Community	Uai-Talibu	-
18	Teresa da Cruz	F	Community	Uai-Talibu	-
19	Marquita Madalena G.	F	Community	Uai-Talibu	-
20	Dirce M. Pereira	F	Dongsung	Dili	+670 78487307
21	Rosalyn Fernandes	F	Dongsung	Dili	+670 73058357
22	Maria P. Ribeiro	F	Dongsung	Dili	+670 75406125
23	Carlos A. De Deus	M	PMU	Dili	+670 77549584

**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale Section  
Suco Uma Ana Ulo & Uma Ana Ico Public Consultation Meeting Records (10  
September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Uma Ana Ulo & Uma Ana Ico, Sub-district Venilale	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>10 September 2015</b>	Presenter	:	4. Mrs. Rosalyn Fernandes (International Environment Specialist) 5. Ms. Maria P. Ribeiro (National Social Safeguard Specialist) 6. Mr. Carlos De Deus (PMU)
Place	:	<b>Suco Uma Ana Ulo administrative office</b>	Number of participants	:	<b>Total=20 (M= 12, F= 8)</b>
Participants	:	5. Chief of Suco <b>Uma Ana Ulo</b> 6. Chief of Suco <b>Uma Ana Ico</b> 7. Chief aldeias of Suco <b>Uma Ana Ulo and Uma Ana Ico</b> 8. Community members			
Taking Points	:	<p><b>6. Mr. Martinho Ricardo Freitas</b></p> <p>➤ Wadaeoli area is Landslide area, usually happen during the rainy season.</p> <p>Response:</p> <p>★ Thanks for the information. The team will do assessment. The area was then assessed with Chefi de Suco of Uma Ana Ulo and Uma Ana Ico and was found to be already stabilized through installment of gabion structures.</p> <p><b>7. Mr. Domingos da Costa Freitas</b></p> <p>➤ During the rehabilitation work, dust will usually be generated. Contractor must take care of it.</p> <p>Response:</p> <p>★ Thanks for the input. Dust is actually the most common environmental impact to the community living near the project road. To suppress dust, the contractor is required to spray the road more than one time a day in areas near villages.</p> <p><b>8. Mr. João Bosco de Sousa</b></p> <p>➤ Affected houses from road widening will be compensates, but if the road is realign to the left, how about houses on the right? Will it be demolished or not?</p> <p>Response:</p> <p>★ Widening of the road will be based on design, it can be to both sides of the road or just one side depends on detailed engineering. Compensation is only being paid to affected houses only.</p>			

	<p><b>9. Mrs. Sildonia Belo</b></p> <p>➤ My house might be affected, but if so I still have vacant land to build a house.</p> <p>Response:</p> <p>★ So, if your house is affected and there is vacant land to build a new house, that is good. The compensation is structured so that community will have enough funds to build the same type and size of the house.</p> <p><b>10. Mr. Tiago Pereira (Chief of Aldeia Betu-Nau)</b></p> <p>➤ The widening of the road could be to the right or left side depending on the design. If the road is widened to the left side, in this village, many houses will be spared.</p> <p>➤ The cemetery is near to the road side on the right. If affected, the cemetery can be relocated to other place but need to provide funds for adat ceremony as well.</p> <p>Response:</p> <p>★ If there is vacant land on left side, usually the road will be widened to that side but it is also dependent on soil conditions and topography.</p> <p>★ Thanks for notification related to cemetery. In this case, we will coordinate with the family, lia nain and also chefi de suco. Usually, when a cemetery is affected, the road will be realigned to save the cemetery. So the cemetery will not be affected. When the road can not be realigned we will have to compensate.</p>
<p>Pictures :</p>	

Attendance Sheet to  
Socialization Meeting, Suco Uma Ana Ulo

**Sub-project:** Road Network Upgrading Sector Project  
**Venue:** Uma Ana Ulo Suco Administrative Office, Venilale, Baucau District **Date:**  
September 10<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Domingos da C. Freitas	M	Teacher	Uaitu-Nau	+670 77487600
2	Ernesto de Sousa	M	Agriculture	Betu-Nau	-
3	Evaristo Manuel G.	M	Trader	Uai-Te	-
4	Iligio Jose da Costa	M	Anciao	Betu-Nau	-
5	João Bosco	M	Trader	Betu-Nau	-
6	Martinho R. Freitas	M	Chief of Suco Uma Ana Ulo	Betu-Nau	+670 77295938
7	Tiago da Costa	M	Chief of Aldeia	Betu-Nau	-
8	Sildonia Belo	F	Community	Uai-Te	-
9	Aduzinda Belo	F	Community	Uai-Te	-
10	Dirce M. Pereira	F	Dongsung	Dili	+670 78487307
11	Rosalyn Fernandes	F	Dongsung	Dili	+670 73058357
12	Maria P. Ribeiro	F	Dongsung	Dili	+670 75406125
13	Carlos A. De Deus	M	PMU	Dili	+670 77549584

Attendance Sheet to  
Socialization Meeting, Suco Uma Ana Ico

**Sub-project:** Road Network Upgrading Sector Project  
**Venue:** Uma Ana Ico Suco Administrative Office, Venilale, Baucau District **Date:**  
September 10<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Vicente de Sousa B.	M	Chief of Suco Uma Ana Ico	Osso-Qiuqui	+670 77337331
2	Moises da Costa B. L	M	Community	Osso-Qiuqui	-
3	Luis da C. M. Belo	M	Community	Venilale	-
4	Dirce M. Pereira	F	Dongsung	Dili	+670 78487307
5	Rosalyn Fernandes	F	Dongsung	Dili	+670 73058357
6	Maria P. Ribeiro	F	Dongsung	Dili	+670 75406125
7	Carlos A. De Deus	M	PMU	Dili	+670 77549584

**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale Section  
Suco Bahamori Public Consultation Meeting Records (15 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Bahamori, Sub-district Venilale	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>15 September 2015</b>	Presenter	:	3. Mrs. Rosalyn Fernandes (International Environment Specialist) 4. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Community member's house</b>	Number of participants	:	<b>Total=16</b> (M= 12, F= 4)
Participants	:	4. Chief of Suco <b>Bahamori</b> 5. Chief aldeias of Suco <b>Bahamori</b> 6. Community members			
Taking Points	:	<p><b>3. Mr. Sebastião Maria Magno</b></p> <ul style="list-style-type: none"> <li>➤ Will affected residential house get compensation?</li> <li>➤ There are 3 points of landslide in this suco, two are far from project side but one is very close.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Affected houses will be compensated based on the size and type of material being used. So, if affected, houses will be measured and the material used to construct the house will be noted whether it is temporary, permanent or semi-permanent. Compensation will be calculated based on this.</li> <li>★ About places where there are landslide, we will assess especially those that are close to the road. <b>The team conduct assessment on this area (Rai Manu Ten between STAs 24+540 and 24+680) and found that attempts have been made to stabilize the moving ground although the installed gabion structures are already showing slight subsidence.</b></li> </ul> <p><b>4. Mr. Ernesto S. Magno</b></p> <ul style="list-style-type: none"> <li>➤ Taman makam pahlawan itu bagaimana?</li> <li>➤ A martires da patria monument is near by the road, how it will be treated?</li> <li>➤ Response:</li> <li>★ Thanks. If the monument is affected, the team will coordinate with family and chefi de suco to organize an event for reallocation of the monument. But as much as possible it will be spared from getting affected from the rehabilitation work.</li> </ul>			



**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**



Attendance Sheet to  
Socialization Meeting, Suco Bahamori


**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Bahamori Suco Administrative Office, Venilale, Baucau District **Date:** September 15<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Sebastião Maria Magno	M	Rep. Chefe Aldeia	Lia-Oli	+670 77398939
2	Moises Magno	M	Community	Lia-Oli	-
3	Joaquim da Silva Freitas	M	Teacher	Badoho'o	-
4	Vecinte M. Magno	M	Lia Nain	Lia-Oli	-
5	João Guterres	M	Catequis	Lia-Oli	+670 78198960
6	Carlos Luis Alberto	M	Teacher	Lia-Oli	+670 77352015
7	Estanislau Guterres	M	Chiefe Suco Bahamori	Bahamori	-
8	Elias Magno Guterres	M	Lia Nain	Lia-Oli	-
9	Genoveva de Jesus F.	F	Housewife	Lia-Oli	-
10	Zito Costódio Henrique	M	Lia Nain	Lia-Oli	-
11	Estanislau Guterres	M	Chief of aldeia	WaiRoque	+670 77497261
12	Ernesto S. Magno	M	Education Staff	Lia-Oli	+670 77469070
13	Cancio Freitas	M	Community	Lia-Oli	-
14	Maria Poppy Ribeiro	F	National Safeguard Sp.	Dili	+670 77050000
15	Dirce Madalena P.	F	National Environmental Sp.	Dili	+670 78487307
16	Rosalyn Fernandes	F	Inter. Env. Sp	Dili	+670 77344251

**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale Section  
Suco Buibau Public Consultation Meeting Records (18 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Buibau, Sub-district Baucau	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>18 September 2015</b>	Presenter	:	3. Mrs. Rosalyn Fernandes (International Environment Specialist) 4. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Community member's house</b>	Number of participants	:	<b>Total=39 (M= 31, F= 8)</b>
Participants	:	4. Chief of Suco <b>Buibau</b> 5. Chief aldeias of Suco <b>Buibau</b> 6. Community members			
Taking Points	:	<p><b>6. Mr. Sebastião Marçal da Costa</b></p> <p>➤ How about productive trees/plants will they get compensation? Previously, during implementation of the electricity project, the contractor was cutting down many trees without compensation.</p> <p>Response:</p> <p>★ First of all, we have to explain that there is a difference between this project and previous projects that took place within this community. The previous electricity project was funded by the government at that time with the objective of providing electricity to the community as fast as possible. This project, on the other hand, is funded through loan from Asian Development Bank (ADB). ADB is a development partner of many countries in Asia and they have their own policy related to development activities. One of those policies is that affected environment and the community should be protected from too much negative impacts from development activities. That is why currently we are consulting the community and discuss about potential environmental and social negative effect to local community.</p> <p>★ Regarding productive trees or plants, when affected they will be compensated. How much will be given in compensation, will be based on a table produced by Ministry of Agriculture. So, we can make sure that the compensation will be the same whether it is being implemented in Liquica, Ermera or in Baucau.</p> <p><b>7. Mr. Julio da Costa Ornai</b></p> <p>➤ We are not satisfied with the previous electricity project that was handled by local company. Many trees were cut with no compensation. Does local company have budget to implement the project?</p> <p>Response:</p> <p>★ We have heard the same complaint in different places that we consulted.</p>			

	<p>Unfortunately, we can not comment much on that. Regarding payment for compensation, for this project a budget is already being prepared for the payment of compensation but we need to know for sure how much will be paid, that is why we will conduct a detailed survey in the coming month.</p> <p><b>8. Mr. Sebastião Marçal da Costa</b></p> <p>➤ About road widening, why there has to be a requirement of right of way of 5m to the left and right sides of the road?</p> <p>Response:</p> <p>★ The requirement is needed to ensure that in the future, we can widen, do other improvement as well as rehabilitation to the road without much problem. As we all know, roads tend to be damaged or insufficient after a few years because of increasing traffic. By having the 5m RoW requirement, we are anticipating for future work that will be needed.</p> <p><b>9. Mr. Salustiano Ximenes</b></p> <p>➤ The community is ready to contribute for the national road project. Even without compensation is fine. What we request is a declaration letter from the government saying that this certain person has contributed this number of trees and this much land for the development of the road.</p> <p>Response:</p> <p>★ Thanks for the input. We understand that there are always members of the community that would allow their properties be taken away for free for development. This project, however, would like to make sure that what is conducted is fair for everybody everywhere in the country.</p> <p><b>10. Mr. Salustiano Ximenes</b></p> <p>➤ Will ai-kafe be compensated? There are many of it along the road.</p> <p>Response:</p> <p>★ Ai-kafe is considered unproductive trees therefore will not be compensated. There is a list that we based our assessment on and unless there is a very convincing reason that a tree should be compensated, we can not just add to the list because the list is produced by Ministry of Agriculture.</p>
<p>Pictures</p>	<p>:</p> 

Attendance Sheet to  
Socialization Meeting, Suco Buibau


**Sub-project: Road Network Upgrading Sector Project**

**Venue:** Buibau Suco Administrative Office, Baucau, Baucau District **Date:** September 18<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Francisco Ximenes	M	Chief of Suco Buibau	Loidua	+670 77540096
2	Daniel da Costa	M	Chief of Aldeia	Samalaculiba	-
3	Helder A. D. C.	M	Community	Samalaculiba	-
4	Adolfino B. Ximenes	M	Community	Samalaculiba	-
5	Ameta	M	Community	Samalaculiba	-
6	Celestino Sarmiento	M	Community	Samalaculiba	-
7	Sebastião Marçal D. C.	M	Community	Samalaculiba	-
8	Cancio Ximenes	M	Community	Samalaculiba	-
9	Bendita Ximenes	F	Community	Samalaculiba	-
10	Sanhio da Costa	M	Community	Samalaculiba	-
11	Aguida Fatima	F	Community	Samalaculiba	-
12	Alfredo M. D. C	M	Community	Samalaculiba	-
13	Domingos Rodrigues	M	Community	Samalaculiba	-
14	Bidal N. Sarmiento	M	Community	Samalaculiba	-
15	Julio D. C. Ornai	M	Community	Samalaculiba	-
16	Mateus Freitas Ribeiro	M	Community	Builai	+670 77642868
17	Isabel D. Costa	F	Community	Builai	-
18	Sabino Sarmiento	M	Community	Samalaculiba	-
19	Manuel D. Costa	M	Community	Builai	-
20	Afonso da Costa	M	Community	Builai	+670 77439238
21	Afonso Manuel D. Costa	M	Community	Samalaculiba	-
22	Domingos Martins	M	Community	Samalaculiba	-
23	Salustiano Ximenes	M	Community	Alala	-
24	Francisco Freitas	M	Community	Builai	-
25	Afonso D. C. Tilman	M	Community	Builai	-
26	João M.	M	Community	Builai	-
27	Domingos A. Fraga	M	Community	Builai	-
28	Basilio M.	M	Community	Builai	-
29	Januario do R. Quintas	M	Chief of Aldeia	Builai	-
30	Carlos F. X.	M	Community	Alala	-
31	Manuel A. X.	M	Community	Builai	-
32	Hegas Freitas	M	Community	Alala	-
33	Julet C. Belo	F	Community	Alala	-
34	Antonio F.	M	Community	Alala	-
35	Mariana F.	F	Community	Alala	-
36	Mariano Do Rosario	M	Community	Builai	+670 77329566
37	Maria Poppy Ribeiro	F	Nat. Soc Safeguard Sp.	Dili	+670 77050000
38	Dirce Madalena P.	F	Nat. Environmental Sp.	Dili	+670 78487307
39	Rosalyn Fernandes	F	Inter. Env. Sp	Dili	+670 77344251

**Road Network Upgrading Sector Project (RNUSP) Baucau – Venilale Section  
Suco Badoho'o Public Consultation Meeting Records (30 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Badoho, Sub-district Baucau	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>18 September 2015</b>	Presenter	:	3. Mr. Carlos De Deus(PMU) 4. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Community member's house</b>	Number of participants	:	<b>Total=18 (M= 13, F= 5)</b>
Participants	:	4. Chief of Suco <b>Badoho'o</b> 5. Chief aldeias of Suco <b>Badoho'o</b> 6. Community members			
Taking Points	:	<p><b>5. Mr. Anselmo B. Amaral</b></p> <p>➤ Just want to comment, the community is confused of the different types of projects that are happening in the community. Previously, during implementation of the electricity project, project implementer cut community trees without compensation. I think, any program runs by the government should be conducted in a consistent manner. When it is different like this, the community is not happy.</p> <p>Response:</p> <p>★ Thank you for the comment. We have to explain that the road rehabilitation project from Baucau to Viqueque is different from other projects that has happened before in the community. For this project, funding comes from the Asian Development Bank (ADB). The ADB has its own policies that has to be obeyed to by the government. Among the policies is the social and environmental and safeguarding policy which provide protection to the affected environment and local community along the project. So, because of different funding arrangement, the implementation activities are also different.</p> <p><b>6. Mr. Crispin Lopes</b></p> <p>➤ The community is happy for this project because it conducts public consultation meeting. We have noticed that the project is progressing fast, after consultation meeting, detailed data collection is happening in the next week. Community is excited to know this.</p> <p>Response:</p> <p>★ Thank you. We are happy that the community is excited about the upcoming development.</p> <p><b>7. Mr. Claudino da Silva</b></p> <p>➤ The community will not hinder the national road rehabilitation project. Community is grateful for the compensation and community want to value</p>			

	<p>their contribution with a declaration letter from government.</p> <ul style="list-style-type: none"> <li>➤ Community of Suco Badoho is fully understanding of the National road rehabilitation. Other suco is still building house near to road (STA 27+040). Do they know about this project?</li> <li>➤ Community here have heard about the road rehabilitation project from public consultation meetings conducted in sucos nearby before. We were wondering though, there are community members in other sucos that continue to build their house near the road even though they know that the road will be widened. Their suco has been consulted before. Why do they still do this?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thank you for supporting the upcoming development. We will note your request related to the declaration letter from the government.</li> <li>★ (Context: Mr. da Silva is specifically referring to a construction at STA 27+040 (Right) in Suco Fatulia). Actually, after the consultation meeting, the person that was going to construct his new house consult with us whether he should continue to build or not given the upcoming project. We consulted our alignment and he was actually outside of the new alignment so he can continue to construct.</li> </ul> <p><b>8. Mr. Manuel Soares (Chief of Suco)</b></p> <ul style="list-style-type: none"> <li>➤ Suggestion: the survey team who collect affected data should explain the details to the affected person.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thanks for input, we will keep coordinating with local leader and community</li> </ul>
<p>Pictures</p>	<p>:</p> 


Attendance Sheet to  
Socialization Meeting, Suco Badoho**Sub-project: Road Network Upgrading Sector Project****Venue:** Badoho'o Suco Administrative Office, Venilale, Baucau District **Date:** September 30<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Anselmo B. Amaral	M	Agriculture	Uma Ana Ico	-
2	Carlota Amaral	F	Agriculture	Uma Ana Ico	-
3	Igimo de Sousa	M	Agriculture	Uma Ana Ico	-
4	Filomena da Costa	F	Agriculture	Uma Ana Ico	-
5	Pedro Amaral	M	Agriculture	Uma Ana Ico	-
6	Florinda Ximenes	M	Agriculture	Uma Ana Ico	-
7	Armando Lopes	M	Agriculture	Uma Ana Ico	-
8	Jeronimo Lopes	M	Agriculture	Uma Ana Ico	-
9	Crispin Lopes	M	Agriculture	Uma Ana Ico	-
10	Claudino Da Silva	M	Agriculture	Uma Ana Ico	+670 77383586
11	João Baptista Amaral	M	Agriculture	Uma Ana Ico	-
12	Justinho Lopes	M	Agriculture	Uma Ana Ico	-
13	Antonia Amaral	F	Agriculture	Uma Ana Ico	-
14	Cancio Soares	M	Agriculture	Fatubelaoli	-
15	Joaquim Amaral	M	Agriculture	Fatubelaoli	-
16	Maria Poppy Ribeiro	F	Nat. Soc Safeguard Sp.	Dili	+670 77050000
17	Dirce Madalena P.	F	Nat. Environmental Sp.	Dili	+670 78487307
18	Carlos A. De Deus	M	PMU	Dili	+670 77549584



**Road Network Upgrading Sector Project (RNUSP) Baucau – Viqueque Section  
Suco Ossu De Cima Public Consultation Meeting Records (16 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Ossu de Cima, Sub-district Viqueque	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>16 September 2015</b>	Presenter	:	5. Mrs. Rosalyn Fernandes (International Environment Specialist) 6. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Suco Administrative Office</b>	Number of participants	:	<b>29 (M= 18, F= 11)</b>
Participants	:	7. Chief of Suco <b>Ossu de Cima</b> 8. Chief aldeias of Suco <b>Ossu de Cima</b> 9. Community members			
Taking Points	:	<p><b>1. Mr. Jose Jorge Cabral</b></p> <p>➤ I am happy about the socialization because when there is socialization then there will be a solution to the problems faced during construction activities.</p> <p>Response:</p> <p>★ Thank you for the positive comments. We have to explain that this project is different than the other previous projects took place within the community. This project is following the Asian Development Bank (ADB) guidelines for project preparation because funding for this project comes from the ADB. Therefore we have socialization meetings as well as environmental assessment and compensation policies that other projects do not have.</p> <p><b>2. Mrs. Olinda da Silva Alves</b></p> <p>➤ At the bridge near the police office, there is landslide during the rainy season.</p> <p>Response:</p> <p>★ Thank you for the input, the team will do assessment. The area mentioned is actually near a culvert around STA42+120 and erosion becomes a problem especially during the rainy season. Land stabilization measures will be included in the detailed design.</p> <p><b>3. Mr. Isaias Renaldo M. Guterres</b></p> <p>➤ The community is happy for the public consultation meetings related to the national road project. But sometimes the community is insisting to build a house near the road. Besides a public consultation like this, please do publish on media (Radio or Television) so that community will not build their houses too close to the road.</p> <p>➤ Will the design parameters of the upcoming national road widening be</p>			

	<p>consistent with the design parameters of existing road construction?</p> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Thanks for the input. This project will continuously be consulted with the community. So everything we do we will consult closely with suco chiefs. About publishing in the media, yes we agree and we will tell the public work about this.</li> <li>★ Generally the design parameters are consistent with the on-going road construction by local construction companies. Public Work is aware of the upcoming rehabilitation work as well as the on-going construction.</li> </ul> <p><b>4. Mr. Jorge da Costa Guterres and Mrs. Olandina Monteiro</b></p> <ul style="list-style-type: none"> <li>➤ Kiosks are located near to the road, will it be affected?</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ We will know for sure the affected structures once we conduct the detailed survey. The detailed survey will be based on detailed engineering design. Some properties that are close to the road might not be affected. For those affected, they will be compensated according to type of structure, including kiosks. For kiosks, transition allowance is also provided based on monthly income.</li> </ul> <p><b>5. Mr. Henrique Ruas</b></p> <ul style="list-style-type: none"> <li>➤ Every regions is different, some places have many houses some do not. In my case, there are a lot of houses on the left side of the road while the other side is vacant. Suggestion: please widen the road to the right side only, so houses will not be affected much.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ Vacant lands and the location of houses have been identified through the topography survey. So during the development of the detailed design, as much as possible the designer will try to avoid affected to many structures. But sometimes because the design parameters have to follow certain standards, some houses will be affected. Thank you for your input.</li> </ul>
<p>Pictures :</p>	

Attendance Sheet to  
Socialization Meeting, Suco Ossu De Cima


**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Ossu De Cima Suco Administrative Office, Ossu, Viqueque District **Date:**  
September 16<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	João Guterres	M	Cheif of Suco	Borala	+670 77258965
2	Helio B. Hornai G.	M	PAAS/ MAE	Uai-Rio	+670 77303425
3	Jose Jorge Cabral	M	Teacher	Cai-Uai-Ho'o	+670 77002370
4	Isau da Silva Ximenes	M	Agriculture	Lugabuti	-
5	Agostinho D. S. Monteiro	M	Agriculture	Lugabuti	-
6	Ernesto da Costa G.	M	Agriculture	Belas	-
7	Joaquim da Silva	M	Trader	Lugabuti	+670 77299576
8	Eduardo da Silva	M	Agriculture	Belas	-
9	Jose Bonifacio Pinto	M	Entrepreneur	Liamida	+670 77289785
10	Santina Monteiro	F	Agriculture	Uma Ana Ico	-
11	Olandina Monteiro	F	Agriculture	Lugabuti	-
12	Olinda da Silva Alves	F	Agriculture	Liamida	-
13	Rosa Victor Ximenes	F	Agriculture	Liamida	-
14	Luis Monteiro	M	Agriculture	Lugabuti	-
15	Jorge da Costa	M	Agriculture	Belas	-
16	Matias da Costa	M	Driver	Borala	+670 77287509
17	Domingas D. C. Ximenes	F	Agriculture	Liamida	-
18	Miranda Ruas	F	Agriculture	Liamida	-
19	Nelson Jeferino	M	Teacher	Belas	+670 78526214
20	Henrique Ruas	M	Entrepreneur	Cai-Uai-Ho'o	-
21	Raimundo Fahik	M	Agriculture	Liamida	+670 75747178
22	Feliciano da C. G	M	Agriculture	Belas	+670 77401589
23	Isaias Renaldo M. G	M	Doctor	Cai-Uai-Ho'o	+670 77315834
24	Alzira da Silva	F	Agriculture	Lugabuti	-
25	Manuel Ruas G.	M	Agriculture	Liamida	-
26	Filomena Monteiro	F	Agriculture	Lugabuti	-
27	Rosalyn F.	F	Inter. Env. Specialist	Dili	+670 77344251
28	Maria Poppy Ribeiro	F	Nat. Soc.Safeguard Sp.	Dili	+670 77050000
29	Dirce Madalena P.	F	Nat. Env. Sp.	Dili	+670 78487307

**Road Network Upgrading Sector Project (RNUSP) Baucau – Viqueque Section  
Suco Loi-Huno and Uabubo Public Consultation Meeting Records (16 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Ossu de Cima, Sub-district Viqueque	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>16 September 2015</b>	Presenter	:	7. Mrs. Rosalyn Fernandes (International Environment Specialist) 8. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Suco Administrative Office</b>	Number of participants	:	<b>29 (M= 18, F= 11)</b>
Participants	:	1. Chief of Suco <b>Loi-Huno and Uabubo</b> 2. Chief aldeias of Suco <b>Loi-Huno and Uabubo</b> 3. Community members			
Taking Points	:	<p><b>1. Mr. Jose Henrique</b></p> <ul style="list-style-type: none"> <li>➤ Road rehabilitation projects from the government are government sometimes not consistent; do all affected assets are going to be compensated?</li> <li>➤ The teak trees is along the road (STA 47+000 to STA56+800 with other tree communities in between) most of them belong to the government. Only very little belong to the community. I was wondering, if there are affected trees, will they be compensated. If so, the project might pay the compensation to Forestry. As a community though, I was wondering whether the affected trees once they are cut can be donated to the community.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>★ This project follows a different process with the other projects previously took place in the community. Funding for this project comes from ADB and ADB has its own policy related to project planning and implementation. The government has to adhere to these policies. That is why during this project, there is social and environmental assessment to see potential impacts of development to the environment and local communities. Affected assets will all be compensated and compensation will be paid before construction activities begin.</li> <li>★ Thanks for the input. For ownership of teak trees need to confirm to forestry directorate of Viqueque. They will determine whether the trees can be donated to the community or not. When there are affected teak trees that belong to community, it will be compensated directly to the owner.</li> </ul> <p><b>2. Mr. Pedro da Costa</b></p>			

	<p>➤ Community is happy for public consultation meeting for the national road project conducted by consultants and MPWTC.</p> <p>Response:</p> <p>★ Thank you.</p> <p><b>3. Mr. Luis da S. Oliveira</b></p> <p>➤ Affected assets such as kiosks, houses, plants and paddy fields. These are going to be compensated?</p> <p>Response:</p> <p>★ Affected assets are going to be compensated based on detailed survey that will be conducted in the upcoming weeks. This process will be coordinated with local leader and community from now until the final compensation payment and all the way through construction.</p> <p><b>4. Mr. Manuel Afonso da Costa (Chief of Aldeia Buanurac)</b></p> <p>➤ Cemetery and sacred place near the road on the right side can be relocated by doing some cultural rituals.</p> <p>Response:</p> <p>★ Thanks for the information. Usually the design will try not to affect cemeteries at all because cemeteries are important social feature. When it can not be avoided, then the project will coordinate with family members for the relocation.</p>
<p>Pictures :</p>	

## Attendance Sheet to

**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Loi-Huno Suco Administrative Office, Ossu, Viqueque District **Date:** September 16<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Edemundo D. C. S.	M	Chief of Aldeia	Samaliu	-
2	Francisco Alves Gusmão	M	Chief of Aldeia	Uai-Heda	-
3	Filomeno D. C	M	Lia Nain	Uala Mau	-
4	Ricardo Panao	M	Lia Nain	Uala Mau	-
5	Andre Souza Panao	M	Aniciao	Samaliu	-
6	Ernesto da Costa	M	Agriculture	Samaliu	-
7	Domingos Amaral	M	Agriculture	Samaliu	-
8	Manuel Salsina	M	Agriculture	Samaliu	-
9	Mario Souza Panao	M	Agriculture	Samaliu	-
10	Sezario da C.	M	Agriculture	Samaliu	-
11	Domingos Boavida	M	Agriculture	Samaliu	-
12	Maria D. C.	F	Agriculture	Samaliu	-
13	Herminio X.	M	Civil Servant	Samaliu	-
14	Miguel Rangel	M	Civil Servant	Samaliu	-
15	Caitano Amaral	M	Agriculture	Uai- Heda	-
16	Selestinho dos Reis	M	Agriculture	Uai-Heda	-
17	Marito da Costa	M	Agriculture	Uala Mau	-
18	Domingas	F	Agriculture	Samaliu	-
19	Alfredo da C.	M	Agriculture	Uala Mau	-
20	Pedro da Costa	M	Agriculture	Samaliu	-
21	Rosalyn F.	F	Inter. Env. Specialist	Dili	+670 77344251
22	Maria Poppy Ribeiro	F	Nat. Soc.Safeguard Sp.	Dili	+670 77050000
23	Dirce Madalena P.	F	Nat. Env. Sp.	Dili	+670 78487307

## Attendance Sheet to

**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Uabubo Suco Administrative Office, Ossu, Viqueque District **Date:** September 16<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Manuel Afonso da Costa	M	Chief of Aldeia	Buanurac	+670 77378867
2	Teodoro F. Guterres	M	Community	Buanurac	+670 77361633
3	Francisco de Fatima	M	Community	Buanurac	-
4	Jose Henrique	M	Community	Buanurac	-
5	Luis da S. Oliveira	M	Community	Buanurac	+670 78034355
6	Rosita da Silva	F	Community	Buanurac	-
7	Elda da Costa	F	Community	Buanurac	-
8	Olinda da Silva	F	Community	Buanurac	-
9	Maria Adelina Da Silva	F	Community	Buanurac	-
10	Filomena da Silva	F	Community	Buanurac	-
11	Delfina da Costa	F	Community	Buanurac	-
12	Ana Teresa da Silva	F	Community	Buanurac	-
13	Silvina Guterres	F	Community	Buanurac	-
14	Deolinda da Costa	F	Community	Buanurac	-
15	Elisa da Costa	F	Community	Buanurac	-
16	Palmira Freitas	F	Community	Buanurac	-
17	Horasio do Nascimento	M	Community	Buanurac	-

**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads

(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

18	Antonio da Silva	M	Community	Buanurac	-
19	Antonio P. Amaral	M	Community	Buanurac	+670 77377099
20	Francisco Nasimento	M	Community	Buanurac	-
21	Joana do Nascimento F.	M	Community	Buanurac	+670 77032909
22	Moises Freitas	M	Community	Buanurac	+670 77495865
23	Maria Poppy Ribeiro	F	National Safeguard Sp.	Dili	+670 77050000
24	Dirce Madalena P.	F	National Environmental Sp.	Dili	+670 78487307
25	Rosalyn Fernandes	F	Inter. Env. Sp	Dili	+670 77344251



**Road Network Upgrading Sector Project (RNUSP) Baucau – Viqueque Section  
Suco Ossorua Public Consultation Meeting Records (30 September 2015)**

Name of meeting	:	Public Consultation Meeting for Environmental and Social Survey in Ossu de Cima, Sub-district Viqueque	Note by	:	Ms. Dirce Pereira (National Environment Specialist)
Date	:	<b>30 September 2015</b>	Presenter	:	1. Mrs. Carlos de Deus (PMU) 2. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	<b>Community Centre</b>	Number of participants	:	<b>30 (M= 15, F= 15)</b>
Participants	:	1. Chief of Suco <b>Ossorua</b> 2. Chief aldeias of Suco <b>Ossorua</b> 3. Community members			
Taking Points	:	<p>➤ <b>Ms. Esmenia Da Costa Nunes</b></p> <p>➤ For now, we don't know yet the properties or productive asset (plants) that will be affected. Would like to get detailed information on the affected properties and assets during the survey..</p> <p>Response:</p> <p>➤ Sure, during detailed survey we will also collect detailed information on affected households and will be able to explain in detailed on the process for valuation of affected assets and compensation.</p> <p>➤ <b>Mr. Eduardo Freitas (Chief of Suco)</b></p> <p>➤ MPWTC and Ministry of Agriculture should be working together on the compensation for affected structures and trees.</p> <p>Response:</p> <p>➤ National road project is one of the biggest projects that need coordination with many ministries including the Ministry of Ag. Yes, actually the table for compensation for trees has been produced by the Min. of Agriculture so the prices are based on official release.</p> <p>➤ <b>Mr. Fernando Da Costa</b></p> <p>➤ Will paddy fields get compensation?</p> <p>Response:</p> <p>➤ Productive plants will be compensated, including paddy fields. The detail survey team will identify in more detail which fields are affected and will also consult with owner of the field. Then we will also confirm ownership with local leader (chefi suco) so compensation goes to the rightfull owner.</p> <p>➤ <b>Mr. Eduardo Freitas (Chief of Suco)</b></p>			

	<p>➤ The government program is making us confused. During the last electricity project, there are a lot of problems e.g. poor coordination and no compensation. Please, do not make the same mistake.</p> <p>Response:</p> <p>➤ Before collecting data survey the team will coordinate with chefi sucos to identify affected assets such; affected house, productive plant and paddy fields.</p>
Pictures	<p>:</p> 

Attendance Sheet to  
Socialization Meeting, Suco Ossorua

**Sub-project:** Road Network Upgrading Sector Project

**Venue:** Ossorua Suco Administrative Office, Ossu, Viqueque District **Date:** September 30<sup>th</sup>, 2015

No	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Eduardo da Rosa Freitas	M	Chief of Suco Ossorua	Raimuti	+670 78418205
2	Eusebio A. De O.D.L.S	M	Chief of Aldeia	Uato-Laua	+670 78592242
3	Esmeria da Costa Nunes	F	Ext. Suco	Uato-Laua	+670 77622460
4	Zulmira da Costa	F	Community	Belas Ossu	-
5	Inacio Henriques	M	Lia Nain	Uato-Laua	-
6	Abilio da Silva	M	Veteranus	Uato-Laua	-
7	Domingos Henrique	M	Community	Uato-Laua	+670 76743049
8	Martinho Da Silva	M	Community	Uato-Laua	+670 77280639
9	Constantino da Silva X.	M	Community	Uabubo	+670 77002501
10	Noemio Candido Amaral	M	Community	Uato-Laua	+670 77304474
11	Armino Freitas	M	Community	Uato-Laua	+670 77357455
12	Perpetua da Costa	F	Community	Uato-Laua	+670 77319733
13	Merlinda da C. Pereira	F	Community	Uato-Laua	+670 76762651
14	Regina Soares	F	Community	Uato-Laua	+670 77529957
15	Bebinda da Costa	F	Community	Uatu-Laua	-
16	Seberina da Silva	F	Community	Uato-Laua	-
17	Natalina da Silva	F	Community	Uato-Laua	-
18	Petrolina da Silva	F	Community	Uato-Laua	-
19	Eliza Dos Reis	F	Community	Uato-Laua	-
20	Fernando Da Costa	M	Community	Uato-Laua	-
21	Paulina da Costa	F	Community	Uato-Laua	-
22	Aklaran da Silva Hirigin	M	Community	Uato-Laua	-
23	Florintina da Costa	F	Community	Uato-Laua	-
24	Eva Adina D.S.Baptista	F	Community	Uato-Laua	-

**Road Network Upgrading Sector Project (RNUSP)**

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

**Road Link A06-02: Venilale-Viqueque**

25	Evaristo da Silva	M	Community	Uato-Laua	+670 75588649
26	Seconndino Duarte	M	Community	Uato-Laua	+670 78388469
27	Cancio Da Silva	M	Community	Uato-Laua	+670 75765509
28	Maria Poppy Ribeiro	F	National Safeguard Sp.	Dili	+670 77050000
29	Dirce Madalena P.	F	Nat. Environmental Sp.	Dili	+670 78487307
30	Carlos A. De Deus	M	PMU	Dili	+670 77549584

# Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads  
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

## Road Link A06-02: Venilale-Viqueque

### 11. List of Affected Households

NO	Station	Name of AHH	Occupation	Agriculture Land	Permanent structure	#	size	Semi-permanent structure	#	size	Temporary structure	#	size	Banana	Lime/lemon	Jambuk	Jackfruit	Al Karit	Guava	Papaya	Karait	Melon	Coconut	Avocado	Ajak	Bua	Mango	Teakwood	Bamboo
1	27+230, R	Jorge do Rosário	Farmer												1		2	1				6	2				10		
2	27+260, L	Cesaltino da Silva	Farmer										2				1	1						2	6		6		
3	27+300, L	Francisco de Sousa	farmer										10				1	1							2	1		3	
4	27+400, L	Joanico da Costa	farmer													1	1				1					1		3	
5	27+600, L	Alfredo Pereira	farmer													3		1			2					2	2		
6	27+800, L	Raimundo Pereira	Farmer	1	110								1													1	2		
7	27+845, R	Alfredo da C P	Farmer	1	400																								
8	27+940, L	Angelinu Monteiro Pereira	farmer	1	80																								
9	27+990, L	Januari Lopes P	farmer	1	96																	1					1		
10	28+420, R	Manuel do Rego	Businessman	1	116								14				1					1				2	21	1	
11	28+945, L	Ana Sicilia	Businesswoman								Kiosk	1	38.4	1															
12	29+000, L	Raimundo de carvalho	Farmer					House	1	28.71																			
13	29+300, L	Jose Terus	Farmer	1	241.6																						54		
14	35+500, L	Juliana Guterres	Farmer					House	1	89.6																			
15	35+520, L	Tomas Guterres	Farmer			House	1	76.86					3	1							18					3			
16	38+920, R	Martino Hornai	Farmer										1	1										1		4			
17	39+220, L	Fernando Luas	Farmer												1					1	1					8		1	
18	39+320, L	Manuel Gusmao Hornai	Farmer														4				5					5	1		
19	40+500, L	Francisco Monteiro	Businessman										5	5															
20	40+520, L	Jose Narcizio Qoimbra	Businessman										1	4			1									1			
21	40+770, L	Domingas Soares	Farmer										7				2	3					1						
22	41+020, R	Virgilio Branco Ximenes	Businessman											1				9			2								
23	41+120, R	Luciana da Cruz Monteiro	Businessman														1		1		2	1		2					
24	41+220, R	Gilberto G. da Silva	Farmer										3								4					5		4	
25	41+350, R	Mariano Ruas Guterres	Farmer											1							3		1	3		3			
26	41+570, R	Beni Rafael	Businessman											4							3					2			
27	41+782, L	Bendita R. Monteiro	Businessman								House	1	20.79					1			3						4		
28	41+900, L	Alex	Farmer								House	1	20.64																
29	41+960, L	Joao Silva	Farmer								Kiosk	1	10.5																
30	42+320, L	Rafael da Silva	Farmer										1	2									4			2			
31	42+950, R	Celestino Freitas	Farmer															1	24		1		1			1	1		
32	43+100, L	Estanislau Guterres	Farmer											1		1	6									4			
33	43+130, L	Veronica da Costa	Farmer					House	1	48																			
34	44+120, L	Mario Maria da Costa	Farmer														3	1			4	9					5		
35	49+730, L	Juliao da Costa Melo	Businessman								Kiosk	1	5.06	32	1				1		1								
36	50+860, L	Feliciano da Costa	Farmer			House	1	18.36																		1			
37	51+000, R	Lonberto Tilman	Farmer								House	1	11.1																
38	51+020, R	Balbina Alsina da Silva	Businessman								Kiosk	1	6.25	1					4										
39	57+000, L	Honorio Lino da Silva	Businessman					House	1	48	House	1	7.14																
40	57+120, L	Gervagio Francisco	Farmer											16	1			7			1			1		1	3		
41	57+220, L	Marito	Farmer					House	1	73.47				4			8	1	6		1						1		
Sum:				6	1043.6	2	95.22	5	287.78	8	119.88	102	23	1	9	29	27	35	59	13	7	9	8	57	100	13			