



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 Abbreviations

ADB	:	Asian Development Bank
AF	:	Affected Family
AH	:	Affected Household
AP	:	Affected Person
DLPCS	:	Directorate of Land, Property and Cadastral Survey
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

	<p>them. ADB's policy explicitly states that such people cannot be denied compensation.</p>
Project	<p>The Road Network Upgrading Sector Project funded by ADB</p>
Rehabilitation	<p>Compensatory measures provided under the policy framework on involuntary resettlement other than the payment for the replacement cost of obtained assets</p>
Relocation	<p>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.</p>
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">.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;.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;.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;.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.
Replacement Land	<p>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</p>
Resettlement	<p>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.</p>
Significant Impact	<p>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)</p>
Squatters	<p>Same definition as non-titled; include households, businesses</p>

	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

- i. 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.
- ii. In this report, "\$" refers to US dollars.

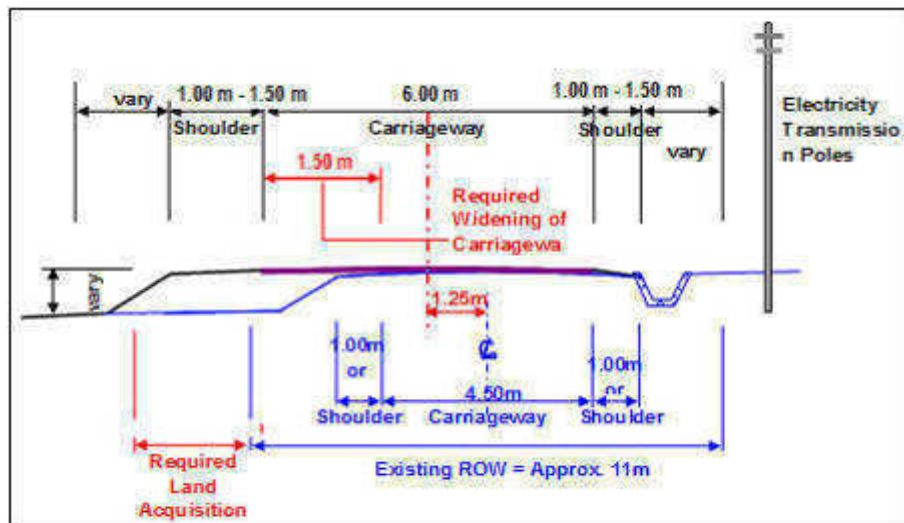
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Executive Summary

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 23.4 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 Baucau-Venilale Section with a length of about 23.4 km. It is a road strategically placed to link the districts of Baucau and Venilale, which may further help to improve the area's business transactions and tourism activity in the future.
3. 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).
4. 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 m wide shoulder on each side.

Figure 1-1 The Typical Road section



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, this 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.

5. The total number of affected households (AHs) has been estimated at 41 composed of 211 affected persons (APs). There are 18 AHs composed of 81 APs who will experience major impacts. Majority of the AHs will be affected on their trees. A combined census and socioeconomic survey carried out within the month of September 2015 shows that the project will affect 3 Residential structures¹ and 12 semi-permanent and temporary business structures². The project will have to acquire about 2,660 m² of land, about 464.89 m² of structure and about 1,269 trees of different kinds along either side of the embankment and also 57 meters of temporary wooden fences. A summary of impact is presented in Table 1-1.

Table 1-1 Summary of Impact

No	Impact Category	Type of Affected Assets	Number/Area of Impact		
			No.	Area	
1	Affected structure	a. Permanent	1	112.5	Sqm
		b. Semi-Permanent	4*	52.62	Sqm
		c. Temporary	10	299.77	Sqm
		Total Affected Structure	15	464.89	Sqm
2	Affected movable structure	a. Business (Stall)	3	-	Unit
		b. Temporary fence	3	57	Ln.m
3	Affected Land Area	a. Agriculture land	4	2180	Sqm
		b. Homestead land	1	480	Sqm
		Total Affected Land	5	2660	Sqm
4	Affected Trees	a. Timber trees	119	-	Trees
		b. Timber and fruit trees	31	-	Trees
		c. Fruit trees	1119	-	Trees
		Total Affected Trees	1269	-	Trees
5	Affected Crop	Total Affected Crop	711.77		Kg
6	Affected Public Utilities	a. Water pipeline (crossing)	36	540	Meters
		b. Water pipeline (Alongside the road)	-	3,600	Meters
		c. Water canal		2,000	Meters

¹ Residential structures refer to structures like; house, kitchen, garage and toilet

² Business structure refer to; kiosk, meubel, repairshop and stall

		c. Concrete Electric Pole (Single)	41	-	Unit
		d. Water reservoir	1	-	Unit

*The lands of the 2 semi-permanent residential structures are owned by the government

6. 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.

7. 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 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.

8. 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.

9. 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

Road Network Upgrading Sector Project (RNUSP)

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

Resettlement Plan (RP)

Road Link A06-01: Baucau-Venilale

Survey (DLPCS) office, offices of district and sub-district administrators, and offices of the suco chiefs and aldeia leaders. The RP and any further updates 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)

Resettlement Plan (RP)
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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"> • 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)³ • Subsistence allowance at \$100 per month⁴, 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) • Subsistence allowance at \$100 for one month if residual agriculture land is viable • 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 • Additional compensation for vulnerable households (item 5) • 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 	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"> • Cash compensation at \$ 200 of up to 6 months of land lease⁵ • 60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided • Additional compensation for vulnerable households (item 5) 	

³ Based on the recommendation of DLPCS as per the ongoing land transaction in the area and agreed with the affected communities.

⁴Based on consultation with the affected communities.

⁵ Based on agreed amount with affected persons during consultation

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Temporary Loss of Land during construction	Landowners/Lessee	<ul style="list-style-type: none"> As per contractor's responsibility reflected on the construction methodology of the contract 	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"> Cash compensation equivalent to replacement value of structure (or part of structure) without depreciation and construction cost equivalent to 25% of the construction materials Subsistence allowance of \$100/month of up to 3 months for affected residential structure who do not own the land⁶ e.g. Informal settlers/squatters/non-tilted APs Compensation for income loss equivalent to average monthly income for 2 months for semi-permanent and 3 months for permanent commercial structure Transportation allowance equivalent to minimum of \$ 100 Right to salvage materials from the demolished structure without deduction from their compensation Additional compensation for vulnerable households (item 5) 	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"> Cost of the materials and reconstruction of the affected structure ensuring that safe location will be made available if required for the new structure Transitional allowance equivalent to average monthly 	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.

⁶ Payment for the landowner is already part of item 1.a

Road Network Upgrading Sector Project

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		<p>income for two months to compensate for loss of business⁷</p> <ul style="list-style-type: none"> • If required, transportation allowance equivalent to \$100 • Salvaged of materials which are free of cost 	
3.b. Income from business	Business owners, vendors (temporary kiosks)	<ul style="list-style-type: none"> • One time lump sum of \$50 dollars for income disruption • Cost of the materials and reconstruction of the affected structure • Additional compensation for vulnerable households (item 5) 	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.
4a. Loss of crops	Claimant of the affected crops	<ul style="list-style-type: none"> • 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 • Provision of seeds for next cropping season 	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"> • Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 3 years • Cash compensation equivalent to prevailing market price of timber for non-fruit trees 	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"> • Compensation for rice paddies equals to the market value of its annual yield for three years • Provision of seeds for next cropping season 	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 and	<ul style="list-style-type: none"> • Additional subsistence allowance equivalent at \$100 	PMU with assistance of local

⁷ Assessment shows that it will take maximum two months to rebuild structures.

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vulnerable APs	women-headed households identified by IOL	for 3 more months for loss of land or structure <ul style="list-style-type: none">Landless/vulnerable APs will be assisted to find an alternative land/plotOne-time rehabilitation grant in the form of productive assets (e.g. seeds and planting materials) for loss of agriculture income.Vulnerable households will have priority in any employment required for the project	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.

10. 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 according to the RF.

11. 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.

12. 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.

13. 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 \$248,224.13 out of which \$225,658.30 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 1 INTRODUCTION

1.1 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 23.4 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 Lospalos)

2. This Resettlement Plan report will refer to the National Road Upgrading Project of the Baucau-Venilale Section with a length of about 23.4 km. It is a road strategically placed to link the districts of Baucau and Venilale, 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 Baucau-Venilale 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. 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 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.

4. 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

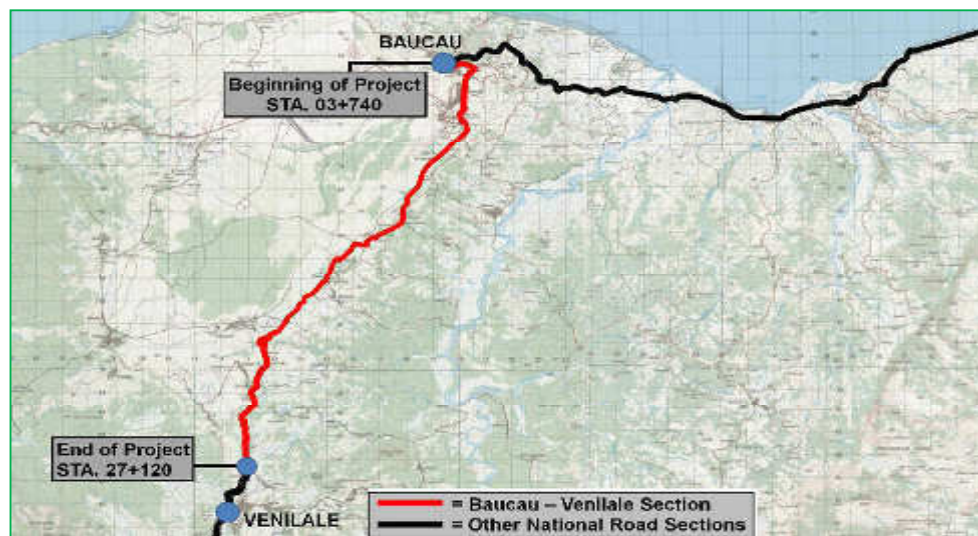
exploring alternatives; (iii) enhance or at least restore the living standards of APs; and (iv) improve the living standards of the poor and vulnerable APs.

5. 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.

1.2 Project Description

6. The Baucau-Venilale road section, with a length of about 23.4 km, is a continuous section of the major national route between Manatuto to Baucau section. The road then with continuous stretch feeds into the Venilale to Viqueque road which links the Baucau to Viqueque road section. The road lies within the geographic coverage of the two Sub districts, Baucau and Venilale. Project Location Map is presented in Figure 1-1.

Figure 1-1 Project Location Map



7. 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 include 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.

1.3 Objectives of RP

8. 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.

9. 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.

1.4 RP-Related Conditions

10. 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 in place; and
- 'No objection' by ADB for the commencement of physical works.

CHAPTER 2 SCOPE OF LAND RESETTLEMENT

2.1 Scope and Rationale for Land Acquisition/Resettlement

11. Upgrading Project for Baucau-Venilale 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.

12. 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) - 100% census combined with socio-economic survey was carried out in September 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).

2.2 Measures to Minimize Land Acquisition Impact

13. 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.

2.3 Summary of Impacts

14. 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 211. An area of about 2,660 m² of land and 464.89 m² of structure will be affected by the project. As much as 1,269 trees will be affected. Also, there will be 2,180 m² of rice paddy farming area that will be affected by the project with a total of 711.77 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.

15. There are 3 types of public utilities will be affected by this project namely, 4,140 linear meters of water pipelines, 2,000 Linear meters of irrigation canal, 41 units of Concrete Electricity Poles and 1 water reservoir. The replacement cost or tranfering cost for these affected public utilities will be included in the provisional sum of the project cost.

Table 2-1 Summary of Impact

No	Impact Category	Type of Affected Assets	Number/Area of Impact			Affected Households (Affected Persons)*
			No.	Area		
1	Affected structure	a. Permanent (residential)	1	112.5	Sqm	1 AH (5 APs)

		b. Semi-permanent (residential)	2			2 AH (9 APs)
		b. Semi-Permanent kiosks	2	52.62	Sqm	2 AHs (9 APs)
		c. Temporary kiosks	10	299.77	Sqm	10 AHs (45 APs)
		Total Affected Structure	15	464.89	Sqm	
2	Affected movable structure	a. Business (Stall)	3	-	Unit	3 AHs (11 APs)
		b. Temporary fence	3	57	Ln.m	
3	Affected Land Area	a. Agriculture land	4	2,180	Sqm	4 AHs (21 APs)
		b. R land	1	480	Sqm	
		Total Affected Land	5	2,660	Sqm	
4	Affected Trees	a. Timber trees	249	-	Trees	15 AHs (65 APs)
		c. Fruit trees	1,020	-	Trees	37 (182 APs)
		Total Affected Trees	1,269	-	Trees	
5	Affected Crop	Total Affected Crop	711.77		Kg	
6	Affected Public Utilities	a. Water pipeline (crossing)	36	540	Meters	
		b. Water pipeline (Alongside the road)	-	3,600	Meters	
		c. Water Irrigation canal		2,000	Meters	
		c. Concrete Electric Pole (Single)	41	-	Unit	
		d. Water reservoir	1	-	Unit	

**Note: Some of the APs experience multiple impacts -but only only 41 households will be affected in total (section 2.4.1)*

2.4 Impact Assessment

2.4.1 Overview of impacts and Losses

16. A total of 41 households (without double counting the impacts) will be affected by the road upgrading project. In Baucau there are 19 AHs and in Venilale there are 22 AHs (Table 2-2). The land affected includes residential land of 480 m² in Baucau and an agricultural area of 2,180 m² affected in Venilale.

Table 2-2 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
Baucau	19	95	480	-	7
Venilale	22	116	-	2,180	9
Total	41	211	480	2,180	16

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

2.4.2 Impact on Land

17. A total area of 2,660 m² privately owned⁸ land will be affected by the project. There is one household to be affected on the loss of residential land owned by the affected person and no loss of agriculture land in Baucau while there are no loss of residential land/structure and 2,180 m² loss of agriculture land affecting 4 households in Venilale. (See table 2-3).

18. 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.

19. 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.

Table 2-3 Detailed of Land Affected

Location and type and area of land affected			AHs			APs		
Sub-district	Type of land	Area affected (m ²)	< 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
Baucau	Res	480	1	-	1	4	-	4
	Agri	-	-	-	-	-	-	-
	Total	480	1	-	1	4	-	4
Venilale	Res	-	-	-	-	-	-	-
	Agri	2,180	2	2*	4	12	13	25
	Total	2,660	2	2	4	12	13	25

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

⁸ No legal document of ownership for the claimed land.

Figure 2-1 Pictures of the affected lands



2.4.3 Impact on Trees

20. A total of 1,269 trees of different types will be affected (Table 2-4). Among these, 249 are classified as timber trees, 989 as fruit trees and 31 as fruit-timber trees.

21. 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.

Figure 2-2 Pictures of the identified affected trees



Table 2-4 Impact on Trees

Fruit Trees		Timber Trees	
Name	Total	Name	Total
Coconut	211	Teakwood	91
Banana	531	Palm	130
Jambu air	2	Kapok	11
Sour sop	12	Bamboo	17
Cocoa	0		
Lime	2		

Melon	5		
Aidak	7		
Sarmale	1		
Avocado	2		
Papaya	113		
Jackfruit	18		
Delima	1		
Guava	3		
Kami'i	81		
Mango	31		
Sub Total	1020		249
Total			1269

2.4.4 Impact on Structures

22. Based on the detail measurement survey and IOL conducted in each project location, there are 18 affected structures (including movable stalls) with the total of 18 affected households identified. The impacts on permanent, semi-permanent and temporary structures are considered significant. However, affected temporary structures can be easily moved or relocated to a new location. These residential structures are not rented out for income source.

Table 2-2 Extent of Impact on Structure

Category of Structure	No. of Structures	Monthly Income
Permanent Residential	1	
Temporary Residential	2	
Permanent Business	-	
Semi-permanent Business	2	\$147.59
Temporary kiosks	10	\$110.59
Stalls	3	
Total	18	\$130.00 (average)

23. About 90% of respondents are expecting to be compensated by cash, 5% expecting to be compensated by the structure with the same size and quality and the rest 5% have no idea about the compensation for their structure. The compensation to be provided are summarized in the entitlement matrix. All affected structures and businesses will be compensated based on market prices.

Figure 2-3 Pictures of the Affected Business Structures



2.4.5 Impact on Income

24. Aside from 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 September 2015.

25. During the (IOL) inventory of losses the numbers of the affected households losing income from affected rice paddy are 4 households with estimation of around 711.77 kg or around US\$ 1,245.60 annual yield loss. The lands are owned by the government.

Table 2-6 Impact on Income Loss from Productive Rice Paddy

Sub district	Rice Paddy			
	Affected Area (m ²)	Estimated Annual Loss in Yield (kg)	Value (\$) ⁹	Number of AH
Baucau	-	-	-	-
Venilale	2,180 m ²	711.77 kg	\$1,245.60	4
Total	2,180 m²	711.77 kg	\$1,245.60	4

2.4.6 Significance of Impact

26. Major impacts on AHs are identified in this RP. Major impacts include households

⁹ 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

experiencing displacement or relocation and/or loss of 10% or more of their productive (income generating) assets.

27. There are 18 AHs composed of 81 APs who will experience major impacts. This includes the temporary road-side vendors who will likely to experience more than 10% loss of income. In summary, 12 AHs (54 APs) will experience significant impact on their business income, 2 AHs (13 APs) will experience significant impact on their agricultural income and 3 AH (14 APs) will have its residential land/structure affected. All these impacts will be further confirmed during the validation survey to update the RP.

2.4.7 Impact on Common Property Resources

28. 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.

29. About 2,000 meters of irrigation canal, 4,140 linear meters of total water pipe lines, along with 41 Concrete Electric Poles and 1 water reservoir will be affected by the project. See table 2-2.

Figure 2-4 Pictures of the Affected Common Property Resources



2.4.8 Gender Impact

30. 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 3 SOCIO-ECONOMIC INFORMATION AND PROFILE

3.1 Working Methodology

31. A 100% census of the AHs combined with a sample of the socio-economic survey was carried out in September 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.

32. Socio economic information and profile of AHs is analyzed base on the data of 41 AHs. About 2 data were not usable for socio economic due to unavailability of data. Base on in-depth interview taken during survey, these 2 AHs are not living in the same sub district and mostly live outside the sub district.

3.2 Demographic Characteristics of AHs¹⁰

3.2.1 Population of AHs

33. 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 211 of which 102 are male and 109 are female

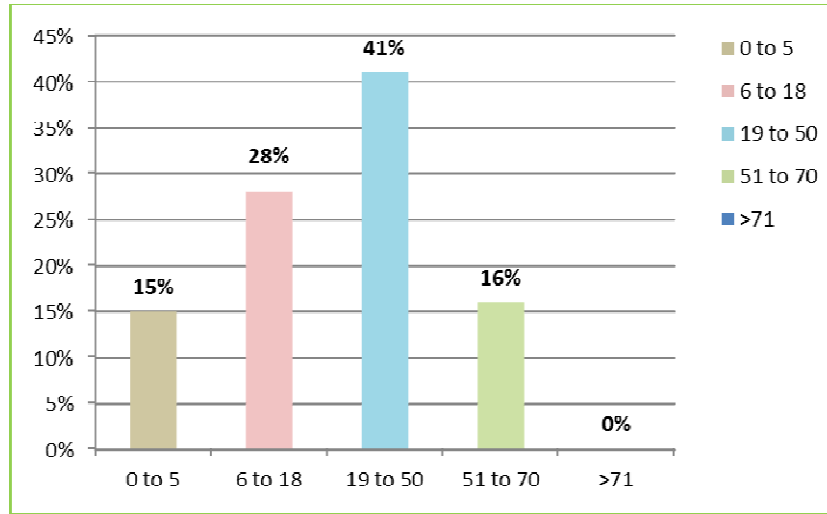
Chart 3-1 Population of Affected People

3.2.2 Age of APs

34. 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 3-2 Age Distribution of Affected People

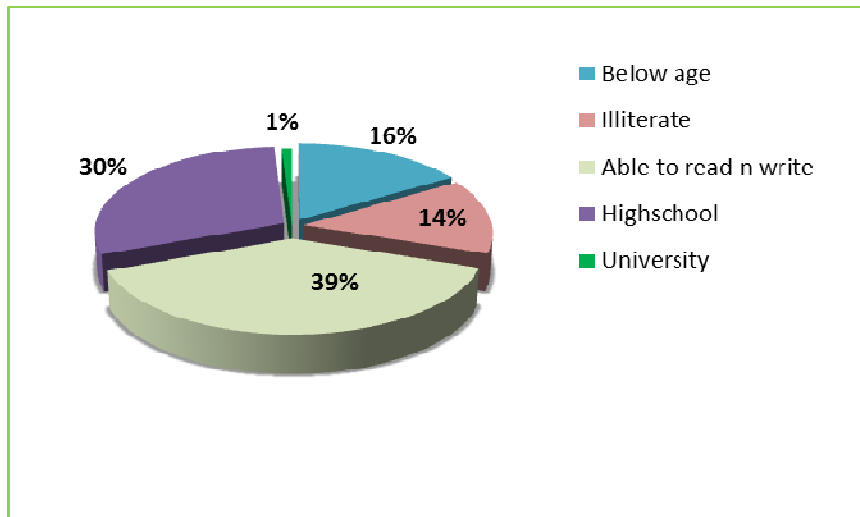
¹⁰ Demographic characteristic of AHs analyzed base on the data of 41 AHs



3.2.3 Education of Aps

35. Majority of the APs (70%) are able to read and write, while 30% is under school going age or illiterate. Out of these 70% of APs able to read and write, 39% of APs attended elementary school, 30% reached junior high school and 1% is university graduates. See Table 3-3.

Chart 3-3 Education of Affected People



3.2.4 Ethnicity & Religion of AHs

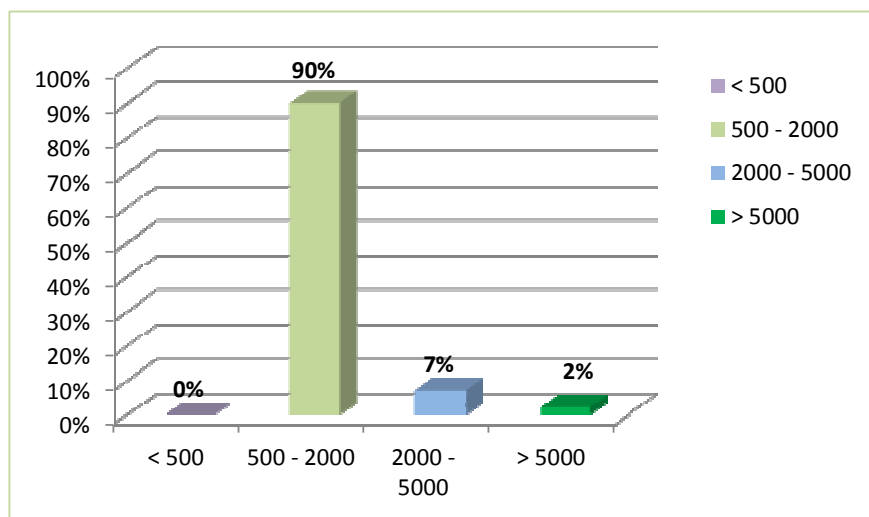
36. From the total of 41 AHs, 100% are makasae and all of the surveyed AHs 100% were found to be followers of Christianity.

3.3 Characteristics of Households

3.3.1 Economic Profile of AH

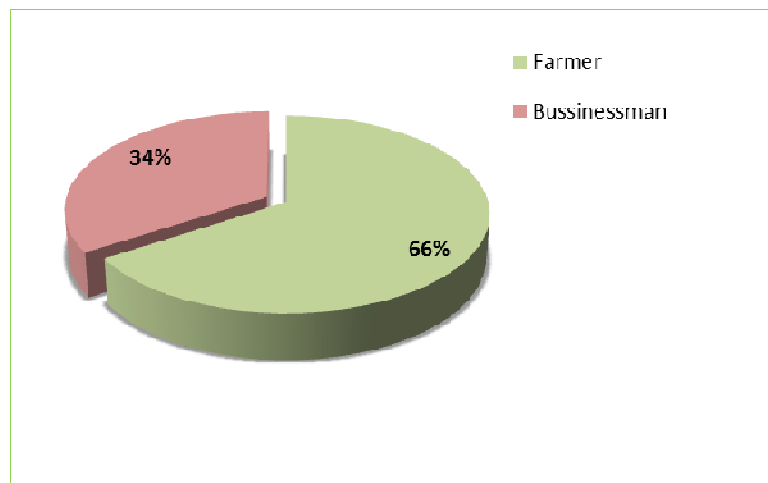
37. Majority of the AHs 90% have annual incomes of about (\$500 - \$2,000), 7% have incomes of about (\$2,000 - \$5,000) and 2% have incomes more than (\$5,000).

Chart 3-4 Annual Income of Affected Households



38. Of the 41 AHs, 68.3% is farmers, 22.6% is businessman or traders, 8.7% is Professional (officer workers) and 0.4% is retired and unemployed.

Chart 3-5 Main Occupation of Affected Household Heads



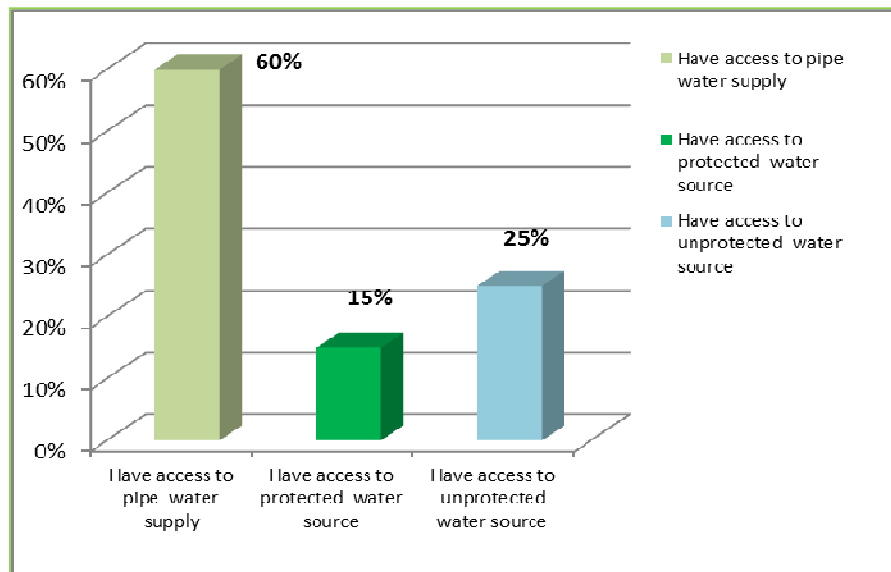
3.3.2 Quality of Life Indicators

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 about 60% of the AHs have access to piped water supply, 25% have access to water from protected well and the remaining 15% have access to water from unprotected sources. The water pipe lines which have been benefited around 50% 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.

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 future extent.

Chart 3-6 Water and Accessibility



3.4 Economic Details of AHs

3.4.1 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 Baucau and Venilale are also based on the TLSLS 2007.

43. Overall the total of 41 AHs within Baucau and Venilale are 90% relatively living within the poverty line. Of the total AHs in each district; 92% of the AHs are poor in Baucau and 86% are poor in Venilale. Table 3-8 below reflects the overall poverty condition of these 2 Sub districts.

Table 3-1 Poverty Analysis around the Project Area

Sub District	No. AHs	No. APs	Average monthly income		Poor AHs	
			AHs	APs	No	%
Baucau	13	148	\$143.93	\$28.8	24	86%
Venilale	28	63	\$105.83	\$21.16	12	92%
Total	41	211	\$124.88	\$24.98	36	88%

44. The average monthly income of the AHs is found to be \$124.88 and the average number of family members per AH is 5 Hence, the average income per month per person of the AHs is \$24.98

3.4.2 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 13 roadside businesses (Kiosks and small temporary 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 carry out on September 2015 total of 37 AHs are considered as part of the vulnerable due to their income level being below the living standard in Timor-Leste. The households who are considered as vulnerable 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:

- i. Reduced travel time and cost for the AHs;
- ii. Increased pedestrian safety;
- iii. Improved and much reliable bus services, ensuring safe and comfortable travel;
- iv. Improved communication among sucos;

- v. Employment opportunities during the construction phase of the road;
 - vi. Opportunities to sell goods to construction workers;
 - vii. Improved access to markets, schools, hospitals and other important social institutes; and
 - viii. 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:
- i. Dust and noise during construction period affecting the daily life of local households;
 - ii. Increased chances of accidents due to increased traffic; and
 - iii. During the construction period, workers from outside will work in close proximity to the local people. Hence, there may be a risk of conflicts, unrests, abuse of minors/women, and spread of sexually transmitted infection (STI) among the local community.

CHAPTER 4 LEGAL POLICY FRAMEWORK AND ENTITLEMENTS

4.1 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.

4.2 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:

- i. 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.
 - ii. Private property should not be used to the detriment of its social purpose.
 - iii. Requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law.
 - iv. 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".

4.3 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:

- i. Compensation to replace lost assets, livelihood, and income;
- ii. Assistance for relocation, including provision of relocation sites with appropriate facilities and services; and
- iii. 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.

4.4 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:

- i. 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.
- ii. 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.
- iii. 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 will be engaged if required to 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;
- iv. 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;
- v. 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;
- vi. 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.
- vii. 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;
- viii. 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;

- ix. 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;
- x. Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements;
- xi. 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;
- xii. 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;
- xiii. 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;
- xiv. 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;
- xv. 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;
- xvi. 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;
- xvii. 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 upon APs desire. 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;

- xviii. 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;
- xix. 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;
- xx. 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
- xxi. 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.

4.5 Eligibility and Entitlements

58. This RP will apply to the Road Network Upgrading Project for implementing the Baucau to Venilale 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.

4.5.1 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 **25 September 2015** and disclosed to the local communities. This will be revised based on the commencement of the validation survey to reconfirm all the project impacts. People who will move into the project boundaries after the revised 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 RF; 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 entitlement matrix has 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 have the responsibility of replacing them as part of their contractual obligation. Churches and religious structures if affected will be compensated at replacement value.

CHAPTER 5 PARTICIPATORY CONSULTATION AND DISCLOSURE

5.1 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.

5.2 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. The key issues that were frequently raised in the consultation are summarized as follows:

No	Issue raised by community	Government answer
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1	Will the government compensated our affected houses?	The affected house will be compensated according 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 traditional structures will be diferent since rebuilding will require ritual and gathering of the clan
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 <u>cut the hills, install drainage and retaining</u>
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 <u>villages or areas where there are concentration</u>
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 <u>concentration of structures</u> . 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 <u>will complain to the contractor or consultant that</u>

5.3 Community Attitude and Feedback

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.

67. 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.

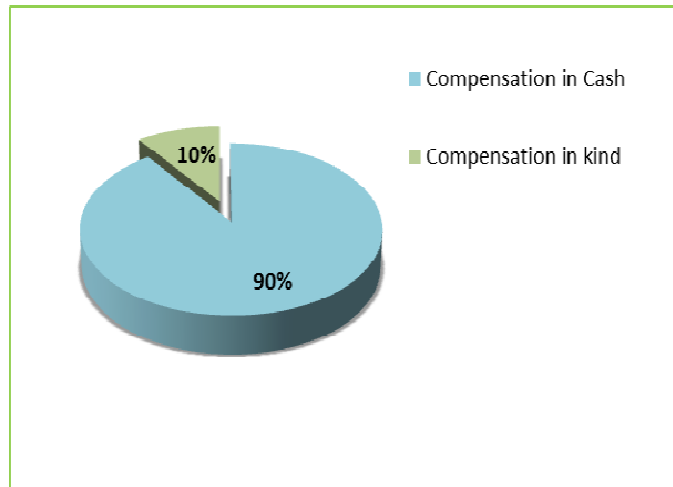


Table 5-1 Summary of Stakeholder Consultations

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 Baucau and Venilale (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 (Buibau, Ualili, Garuai, Fatulia, Uma Ana Ico, Uma Ana Ulo, Bahamori, Badoho and Uato Haco)
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

Stakeholder Category	Activities Undertaken
Special Interest Groups	Farmers

Figure 5-1 Pictures of the Cordination meeting with the Local Leaders



Figure 5-2 Pictures of the Public Consultation Meetings



68. Consultation meetings were held at the Sub-district and sucos/village level along the existing road corridor, which involved almost all AHs as participants (223 participants)¹¹.

69. Photos of consultation meetings, minutes and participant lists of public consultation meetings are given in Appendix E.

Table 5-2 Consultation Meetings

No	Date	Time	Venue (Suco/Sub-District)	Participants
1	04 Sept. 2015	09:00	Uailili (Suco chief's office)	43
2	04 Sept. 2015	14:00	Gariuai (Community's house)	35
3	05 Sept. 2015	09:00	Fatulia (Suco chief's Office)	29
4	10 Sept. 2015	09:00	Uato-haco (Community's house)	23
5	10 Sept. 2015	14:00	Uma ana Ico/Ulo (Suco chief's Office)	20
6	15 Sept. 2015	09:00	Bahamori (Suco chief's Office)	16
7	18 Sept. 2015	09:00	Buibau (Suco chief's Office)	18
8	30 Sept. 2015	16:00	Badoho (Suco chief's Office)	39
Total				223

5.4 Disclosure

70. 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.

¹¹ Number of the participants is small because during the time of (PCM), the community (mostly farmers) was busy preparing their agriculture activity.

CHAPTER 6 GRIEVANCE REDRESS

6.1 Government Policy for Grievance Redress

71. 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.

72. 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.

6.2 Proposed Measures to Address Grievance

73. 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.

74. 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.

75. The project manager and PISC’s resettlement specialist will be the focal point for receiving and resolving any grievances of AHs.

76. 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.

77. The AP always has final recourse through Timor-Leste’s legal channels. 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.

78. 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.

79. 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
- 2 Representatives (Male and Female) 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 6-1 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
If unresolved or if AP wanted to go directly to PMU		
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
If unresolved		
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
If unresolved or at any stage if AP is not satisfied		

AP can take the matter to the appropriate court	As per judicial system
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6.3 Compensation Determination Procedure

80. 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).

81. 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.

82. 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.

83. 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. The PMU has an international and national 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 7 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.

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"> • 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)¹² • Subsistence allowance at \$100 per month¹³, 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) • Subsistence allowance at \$100 for one month if residual agriculture land is viable • 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 • Additional compensation for vulnerable households (item 5) • 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 	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.

¹² Based on the recommendation of DLPCS as per the ongoing land transaction in the area and agreed with the affected communities.

¹³Based on consultation with the affected communities.

<p>1b. Permanent loss of homestead, commercial and Agriculture land</p>	<p>Tenants and leaseholders</p>	<ul style="list-style-type: none"> • Cash compensation at \$ 200 of up to 6 months of land lease¹⁴ • 60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided • Additional compensation for vulnerable households (item 5) 	
<p>Temporary Loss of Land during construction</p>	<p>Landowners/Lessee</p>	<ul style="list-style-type: none"> • As per contractor's responsibility reflected on the construction methodology of the contract. 	<p>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.</p>
<p>2a. Permanent loss of residential/ commercial structures other than kiosks and stalls</p>	<p>Owners of structure</p>	<ul style="list-style-type: none"> • Cash compensation equivalent to replacement value of structure (or part of structure) without depreciation and construction cost equivalent to 25% of the construction materials • 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 APs¹⁵ • Compensation for income loss equivalent to average monthly income for 2 months for semi-permanent and 3 months for permanent commercial structure 	<p>PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.</p>

¹⁴ Based on agreed amount with affected persons during consultation

¹⁵ Payment for the landowners is already part of item 1.a.

		<ul style="list-style-type: none"> • Transportation allowance equivalent to minimum of \$ 100 • Right to salvage materials from the demolished structure without deduction from their compensation • Additional compensation for vulnerable households (item 5) 	
3.a. Income from business	Business owners, vendors (permanent, semi-permanent and temporary)	<ul style="list-style-type: none"> • Cost of the materials and reconstruction of the affected structure ensuring that safe location will be made available if required for the new structure • Transitional allowance equivalent to average monthly income for two months to compensate for disruption of business¹⁶ • If required, transportation allowance equivalent to \$100 • Salvaged of materials which are free of cost 	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"> • Compensation of \$50 dollars for two months to compensate for disruption of business • Cost of the materials and reconstruction of the affected structure <p>Additional compensation for vulnerable households (item 5)</p>	
4a. Loss of crops	Claimant of the affected crops	<ul style="list-style-type: none"> • Provision of 60 days notice to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) 	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair

¹⁶ Assessment shows that it will take maximum two months to rebuild structures.

		<p>equivalent to prevailing market price</p> <ul style="list-style-type: none"> • Provision of seeds for next cropping season 	<p>compensation at replacement cost.</p>
4b. Loss of trees	Claimant of the affected trees	<ul style="list-style-type: none"> • Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 3 years • Cash compensation equivalent to prevailing market price of timber for non-fruit trees 	<p>DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.</p>
4c. Loss of paddies	Claimant of the affected paddies	<ul style="list-style-type: none"> • Compensation for rice paddies equals to the market value of its annual yield for three years • Provision of seeds for next cropping season 	<p>DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.</p>
5. Impact on vulnerable APs	Vulnerable and women-headed households identified by IOL	<ul style="list-style-type: none"> • Additional subsistence allowance equivalent at \$100 for 3 more months for loss of land or structure • Landless/vulnerable APs will be assisted to find an alternative land/plot • One-time rehabilitation grant in the form of productive assets (e.g. seeds and planting materials) for loss of agriculture income • Vulnerable households will have priority in any employment required for the project 	<p>PMU with assistance of local authorities and community leaders</p>
Unforeseen impact	Concerned persons affected	<p>Unforeseen impacts will be documented and mitigated based on the government, ADB SPS (2009) safeguards policy</p>	<p>PMU identifies and mitigates impacts as required.</p>

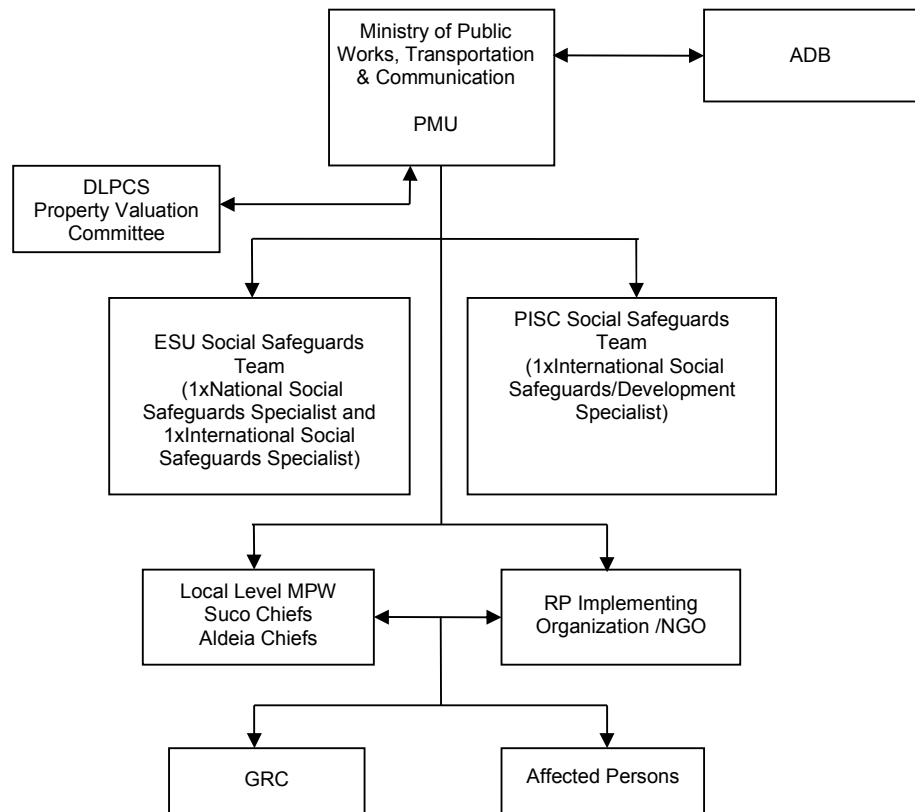
CHAPTER 8 INSTITUTIONAL FRAMEWORK

8.1 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 8-1 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 may be 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. PMU jointly with DLPCS will do consultation, negotiating compensation, and resolving disputes.

8.2 Resettlement Implementation Structure

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

Table 8-1 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 and ADB's Safeguards Policy in coordination with MOJ and DLPC Ensures that AHs are paid with compensation promptly, adequately and effectively, in conformity with the Expropriations Act and the ADB's Safeguards Policy Establishes a grievance redress system designed to deal effectively with complaints from AHs, in coordination with MOJ/DLPCS Ensures that effective monitoring of resettlement is conducted and reported to funding agencies Ensures 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

Agency	Roles and Responsibilities
	submits regular reports
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 and the ADB's Safeguard Policy</p>
ADB	<p>Review and approve all resettlement documentations as required under the respective policies of ADB and the government</p> <p>Assist in capacity building in the PMU to manage social safeguards in road projects</p> <p>Disclose RP on ADB website</p> <p>Provide guidance as required based on progress reports and supervision missions</p>

CHAPTER 9 RESETTLEMENT BUDGET AND FINANCING

9.1 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.

9.2 Budget Description

98. The entire resettlement for the road improvement project will require a total of **\$230,360.13**, out of which **\$209,418.30** 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 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 9-1 Resettlement Budget¹⁷

Item	Quantity	Unit	Rate (\$)	Amount (\$)
Compensation for Land and Structure				
Compensation for land Agricultural land	2,180	m2	\$5.00	\$10,900.00
Compensation for Homestead land	480	m2	\$3.00	\$1,440.00
Compensation for permanent structures	112.5	m2	\$200.00	\$22,500.00
Compensation for semi-permanent structures	52.62	m2	\$100.00	\$5,262.00
Compensation for temporary structures	299.77	m2	\$50.00	\$14,988.50
Compensation for (Stall)	3	Pc	\$100.00	\$300.00
Temporary fence	57	m	\$3.00	\$171.00
Compensation for Crops				
compensation for annual yield loss Rice production for a year	1	LS (x3 years)	\$1,245.60	\$3,736.80
Compensation for Trees and Fruit Trees				
Teakwood *	91	Pc	\$50.00	\$4,550.00
Palm *	130	Pc	\$15.00	\$1,950.00
Coconut	211	Pc (x3 years)	\$60.00	\$37,980.00
Banana	531	Pc (x3 years)	\$5.00	\$7,965.00
Jambu air	2	Pc (x3 years)	\$15.00	\$90.00
Sour sop	12	Pc (x3 years)	\$10.00	\$360.00
kapok *	11	Pc	\$15.00	\$165.00
Lime	2	Pc (x3 years)	\$10.00	\$60.00
Melon	5	Pc (x3 years)	\$20.00	\$300.00
Aidak	7	Pc (x3 years)	\$15.00	\$315.00
Sarmale	1	Pc (x3 years)	\$10.00	\$30.00
Avocado	2	Pc (x3 years)	\$25.00	\$150.00
Papaya	113	Pc (x3 years)	\$20.00	\$6,780.00
Jackfruit	18	Pc (x3 years)	\$35.00	\$1,890.00
Delima	1	Pc (x3 years)	\$15.00	\$45.00
Kami'i	81	Pc (x3 years)	\$30.00	\$7,290.00

¹⁷ A valuation table will be updated/revised if required following the validation exercise to ensure current market price being applied.

Mango	31	Pc (x3 years)	\$35.00	\$3,255.00
Bamboo *	17	Group	\$15.00	\$255.00
Guava	3	Pc (x3 years)	\$10.00	\$90.00
Transitional Allowance and Grants				
Transitional allowances \$100 for 3 months for AHs losing their land	5	No. (x 3 months)	\$100.00	\$1,500.00
Transitional allowance \$100 for AHs losing their residential structure	2	No. (x 3 months)	\$100.00	\$ 600.00
Transition allowance for affected semi-permanent and temporary kiosks	10	No. (x2 months)	\$130.00	\$2,600.00
Transportation allowance	3	No.	\$100	\$300.00
Transitional allowance for temporary roadside business (stall)	3	No. (x2 months)	\$50.00	\$300.00
Additional special assistance of \$100 for additional 2 months for vulnerable HH	36	No. (x3 months)	\$100.00	\$10,800.00
Provision of seeds for affected households			lumpsum	\$500
Monitoring Expenses	12	Months	\$5,000.00	\$60,000.00
Total Direct Cost				\$209,418.30
Administrative expenses, capacity building and training of ESU staff, internal monitoring and contingency			10%	\$20,941.83
Total Budget				\$230,360.13

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 10 IMPLEMENTATION SCHEDULE

10.1 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:

- (i) 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;
- (ii) PMU and SC-SDS, MoJ and DLPCS to work together in conducting cadastral surveys for lands confirmed to be acquired;

- (iii) Update/prepare valuation based on full replacement cost at existing market price for all affected assets and lands to be acquired;
- (iv) Disclosure of the updated resettlement plans to affected persons and ensure their feedback will be incorporated in finalizing the updated plan;
- (v) Prepare disbursement of government funds for compensation and entitlements to affected persons;
- (vi) 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:

i. **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.

ii. **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.

iii. **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.

iv. **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.

10.2 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.

CHAPTER 11 MONITORING AND EVALUATION

11.1 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.

11.2 Safeguards 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 11-1 Internal Monitoring

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

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

11.3 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.

APPENDICES

Price List Reference


Ministerio Agricultura e Piskas
TABELA PREÇOS AGRICULTURA E PISCAS

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	Kailu	hun	\$ 15.00
	3	Kakao	hun	\$ 15.00
	4	Bua	hun	\$ 25.00
	5	Malus	hun	\$ 5.00
	6	Kami'i	hun	\$ 35.00
	7	Tohu	Klobor	\$ 5.00
III				
		Agricultura e Piscicultura		
	1	Fruticultura		

Road Network Upgrading Sector Project (RNUSP)Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Resettlement Plan (RP)

Road Link A06-01: Baucau-Venilale

	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	Bilimbi	nun	\$	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	Vegetable Crops			
	1	Marungi	hun	\$	20.00
	2	Brinjela	hun	\$	5.00
	3	Tomate	hun	\$	5.00
	4	Kobi	hun	\$	1.00
	5	Repolho	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	Ai-manas	hun	\$	0.50
	3	Cerealia, Bens and tuber crops			
	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)

Resettlement Plan (RP)

Road Link A06-01: Baucau-Venilale

	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		Pektuada			
	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	Ra'o	Ra'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)

Resettlement Plan (RP)

Road Link A06-01: Baucau-Venilale

1	Fatin tein masin	Fatin	\$	700.00

DIII, ... 18 ... / July / 2014

Confirmaçao husi Diretores Nacionais

1 Manuel Mendes
Diretor Nacional Floresta



2 Fernando Egidio Amoral
DNPI



3 Oscar Monteiro Gonsalves
DNAH-Interinu



4 Calisto da Costa Varela
DNPV



5 Agusto Fernandes
DNPA



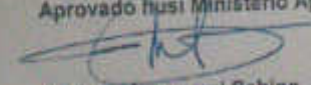
Verificaçao husi Diretor Jeral Ministerio Agricultura e Pesca (MAP)

Laurenço Fontes
Diretor Jeral MAP



Aprovado husi Ministerio Agricultura e Pesca (MAP)

Mariano Assanami Sabino
Ministro Agricultura e Pesca (MAP)





Appendix A: Questionnaire

B.1 Census Questionnaire

IOL QUESTIONNAIRE (Assets Identification)

Date	: _____	Respondent Photograph (must be adult) Write the code no if respondent in camera.
Questionnaire No.	: _____	
Segment	: AO1-01 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	: _____	

A. Identification of Affected Assets

Assat No.	Affected Assats Type	Sta	Asset Utilization		Ownership status	Proof of ownership	Asset Specification		Total Asset (p x l) m2	Affected Assats (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=teraced

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

1

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, othersment on) : _____
(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/cases)
	(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 (month)	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 : _____ Code Enumerator 1 : _____ Telephone/Mobile 1 : _____ Name of Enumerator 2 : _____ Code Enumerator 2 : _____ Telephone/Mobile 2 : _____	Name of Respondent : _____ Telephone/Mobile : _____ Signature : _____
--	---

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 : _____

1

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=Moslem, 2=Christian, 3=Catholic, 4=Hindu, 5=Budha, 6=other, mention

(B.7) 1=Wai-Mua, 2=Tetun, 3=Makasae, 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. Distancem 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:.....

Appendix B: Booklet

1. 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). The project includes upgrading and improving the Baucau-Venilale section with a length of about 23.4 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. 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.

2. PMU has prepared this information booklet summarizing the main provisions of the RP which will be distributed to all families affected under the project.

2. RP Preparation Status

3. The RP has been prepared based on the preliminary design as of September 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.

3. Project Location

4. The National Road No. 1 Upgrading Project Baucau-Venilale section is a part of Baucau-Viqueque section, with a length of about 23.4 km. The road will cover 2 sub districts; (Baucau and Venilale) under the district of Baucau. 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 activities in the future.

4. Resettlement Impact

5. 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-Venilale 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.

6. The improvement of the Baucau-Venilale section will involve the acquisition of land and other assets. A combined census and socio economic survey carried out in September 2015 shows that the project will have to acquire about 2,660 m² of land, about 16 units of structure and about 1,269 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 211 affected persons (APs). A part from this implementation of improvement works with clearing off the right of way land will cause resettlement impact involving the physical displacement to 6 households. A summary of impacts are shown in Table 1.

Table 1: Summary of Impacts

No	Impact Category	Type of Affected Assets	Number/Size of Impact		
			Number	Sizes	
1	Affected structure	a. Permanent	1	112.5	Sqm
		b. Semi-Permanent	2	52.62	Sqm
		c. Temporary	10	299.77	Sqm
		Total Affected Structure	13	464.89	Sqm
2	Affected movable structure	a. Business (Stall)	3	-	Unit
		b. Temporary fence	3	57	Ln.m
3	Affected Land Area	a. Agriculture land	4	2180	Sqm
		b. Homestead land	1	480	Sqm
		Total Affected Land	5	2660	Sqm
4	Affected Trees	a. Timber trees	119	-	Trees
		b. Timber and fruit trees	31	-	Trees
		c. Fruit trees	1119	-	Trees
		Total Affected Trees	1269	-	Trees
5	Affected Crop	Total Affected Crop	711.77		Kg
6	Affected Public Utilities	a. Water pipeline (crossing)	36	540	Meters
		b. Water pipeline (Alongside the road)	-	3,600	Meters
		c. Water Irrigation canal		2,000	Meters
		c. Concrete Electric Pole (Single)	41	-	Unit
		d. Water reservoir	1	-	Unit

5. Resettlement Budget

7. A preliminary estimate for compensation for the Baucau-Venilale Road improvement sub-project will require a total of **\$173,719.81**, out of which, **\$157,927.10** 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.

5.1. Compensation Determination Procedure

8. 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.

9. 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.

10. 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.

6. Contact Details for Inquiry

11. For further information about the project as a whole, and/or the RP for the Baucau-Venilale 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**

Appendix C: Public Consultation Meeting and the Attendance list

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

Suco Uailili Public Consultation Meeting Records (September, 04th 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	:	1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Dirce M. Pereira (National Environment Specialist)
Place	:	Suco Uailili Office	Number of participants	:	Total = 43 (M= 19, F= 24)
Participants	:	<ol style="list-style-type: none"> 1. Chief of Suco Uailili 2. Chief of Aldeia in Suco Uailili 3. Community members 			
Taking Points	:	<ol style="list-style-type: none"> 1. Mrs. Maria Jose <ul style="list-style-type: none"> ➤ The affected house will get compensation. What happen to the houses that are not affected, should we move out or stay? ➤ The road will be widened to the right and left sides, how many meters? <p>Response:</p> <ul style="list-style-type: none"> ★ 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. ★ 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. 2. Mr. Marito <ul style="list-style-type: none"> ➤ 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 alignment, it will save many properties along the current alignment. ➤ 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?

Response:

- ★ 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.
- ★ 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.

3. Mrs. Cesaltina F. Ximenes

- 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.
- Question: if the veranda of a house is the only part affected, does it also get compensation?

Response:

- ★ 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.
- ★ 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.

4. Mrs. Catarina da Piedade

- 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?
- 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

Response:

- ★ 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 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.



Attendance Sheet to

Socialization Meeting, Suco Uailili

Sub-project: Road Network Upgrading Sector Project

Venue: Uailili Suco Administrative Office, Baucau, Baucau District Date: September 04th, 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. Gutteres	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

Road Network Upgrading Sector Project (RNUSP)Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Resettlement Plan (RP)

Road Link A06-01: Baucau-Venilale


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 Section**Suco Gariuai Public Consultation Meeting Records (September, 04th 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	:	04 September 2015	Presenter	:	1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Dirce M. Pereira (National Environment Specialist)
Place	:	Socu Gariuai Office	Number of participants	:	Total = 35 M=26, F=9
Participants	:	1. Chefi de Suco Gariuai 2. Chefi de Aldeias of Suco Gariuai 3. Community members			
Taking Points	:	1. Mr. Jose Freitas ➤ How wide will the new road be? Response: ★ 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,			

	<p>install drainage and retaining walls.</p> <p>2. Mr. Jose Maria Freitas</p> <ul style="list-style-type: none">➤ The team talked about the 5m of RoW. How will we measure the 5m, will we measure it from the centerline?➤ For compensation payment, when can we get it?➤ How about houses or productive trees built/plant after detailed survey. Will it get compensation <p>Response:</p> <ul style="list-style-type: none">★ 5m of RoW will be measured from the side of existing road (sides of asphalt).★ 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 start.★ 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. <p>3. Mr. Paulo Da Costa Guterres</p> <ul style="list-style-type: none">➤ For those properties with land deeds from Indonesian time, will it still be recognized? <p>Response:</p> <ul style="list-style-type: none">★ 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. <p>4. Mr. Jose Gomes Belo</p> <ul style="list-style-type: none">➤ When will the road construction start? <p>Response:</p> <ul style="list-style-type: none">★ Road construction might be happen in 2 or 3 more years from now. Prior to that, compensation payment will be implemented. <p>5. Mr. Jorge da Piedade Gusmão</p> <p>Sugestion:</p>
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	<p>➤ Accident prevention: the curve road should be smoother.</p> <p>➤ Road National Upgrading Sector Project (RNUSP) is founded by ADB, the quality of the project should be international standards.</p> <p>Response:</p> <p>★ Thanks for your suggestion.</p> <p>6. Mr. Jose Freitas (Lia Nain)</p> <p>➤ The soccer field and basketball court (STA13+360 to STA13+560) could be affected. Can we save them?</p> <p>Response:</p> <p>★ 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.</p> <p>7. Mr. Florimundo Gusmão</p> <p>➤ 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.</p> <p>Response:</p> <p>★ We will check the detailed drawing. The principle is to save as many 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>8. Mr. Paul da Costa Guterres</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>
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	<p>9. Mr. Elvino</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>
Pictures :	

**Attendance Sheet to
 Socialization Meeting, Suco Gariuai**

Sub-project: Road Network Upgrading Sector Project
Venue: Gariuai Suco Administrative Office, Baucau, Baucau District Date:
September 04th, 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 Section
Suco Fatulia Public Consultation Meeting Records (September, 05th 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	:	05 September 2015	Presenter	:	1. Mrs. Roslyn Fernandes (International Environment Specialist) 2. Ms. Dirce Pereira (National Environment Specialist)
Place	:	Community center at Fatulia suco	Number of participants	:	Total=29 (M= 24, F=5)
Participants	:	<ol style="list-style-type: none"> 1. Chief of Suco Fatulia 2. Chief of Aldeias of Suco Fatulia 3. Community Member 			
Taking Points	:	<p>1. Mr. Domingos Pereira Ximenes</p> <ul style="list-style-type: none"> ➤ I think this development plan is good and will help the areas here developed more. ➤ How is the compensation for productive trees and paddy fields be paid? ➤ There are sacred springs near to the RoW, 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. ➤ 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? <p>Response:</p> <ul style="list-style-type: none"> ★ Thank you for your support to the development. ★ 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. ★ Thanks for information. Environment team will do assessment to the sacred 			

	<p>water spring, if it might be affected will coordinate with Lia Nain and Authority Local. The spring is more than 50m from the side of the road.</p> <ul style="list-style-type: none">★ 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 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.★ For road construction, to prevent landslide, we will construct retaining wall, implement bioengineering measures and provide drainage lines. <p>2. Mr. Jose Ximenes</p> <ul style="list-style-type: none">➤ 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? <p>Response:</p> <ul style="list-style-type: none">★ 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. <p>3. Mr. Thomas Modesta de Castro</p> <ul style="list-style-type: none">➤ Does regular house will be compensate?➤ 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. <p>Response:</p> <ul style="list-style-type: none">★ Any type of affected houses will be compensated.★ 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.
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	<p>4. Mr. Domingos Pereira Ximenes</p> <p>➤ 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.</p> <p>Response:</p> <p>★ 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 of population.</p> <p>5. Mr. Domingos Jose Do Rego</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>6. Mr. Raimundo Pereira</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>
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Pictures	:	
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Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

**Venue: Fatulia Suco Administrative Office, Venilale, Baucau District Date:
 September 05th, 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	Armando 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 Section

Suco Uato-Haco Public Consultation Meeting Records (September, 10th, 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	:	10 September 2015	Presenter	:	<ol style="list-style-type: none"> 1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Dirce Pereira (National Environment Specialist) 3. Ms. Maria P.Ribeiro (National safeguard Specialist) 4. Mr. Carlos De Deus (PMU)
Place	:	Community Centre at Uataco Suco	Number of participants	:	Total=23 (M=16, F=7)
Participants	:	<ol style="list-style-type: none"> 1. Chief of Suco Uataco 2. Chief aldeias of Suco Uataco 3. Community members 			
Taking Points	:	<p>1. Mr. Alexandre Manuel da Cruz</p> <ul style="list-style-type: none"> ➤ How do we relocate water springs that are near the road side? ➤ Will affected houses including customary house/Uma Adat be compensated? ➤ Construction/rehabilitation road always cause dust. The community is worried about it. ➤ For next meetings and any other activities please continue to coordinate with chefi suco and community. <p>Response:</p> <ul style="list-style-type: none"> ★ 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. ★ 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 			

	<p>additional compensation for ritual that needs to be conducted since rebuilding uma adat requires more than just material.</p> <ul style="list-style-type: none">★ 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.★ We will continue to coordinate with local authorities related to the preparation and construction activities. Thanks for the input. <p>2. Mr. Tonito Tomas de Sousa</p> <ul style="list-style-type: none">➤ Technically how to remove natural springs water from the project area?➤ Suggestion: please coordinate with technical team to relocate the springs near the road.➤ How about irrigation lines, will they be removed before rehabilitation? <p>Response:</p> <ul style="list-style-type: none">★ Terima kasih atas informasinya. Mata air yang ada akan kami cek dan lapor ke teknisi.★ 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. 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 debit 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.★ Thanks for the suggestion. We will coordinate all activities conducted related to this project with chefi de suco and chefi de aldeia.★ 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. <p>3. Mr. Jose de Carvalho</p> <ul style="list-style-type: none">➤ 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. <p>Response:</p> <ul style="list-style-type: none">★ We should actually say all productive plants will be compensated so it is not
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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.

4. Mr. Manuel Bento da Silva (Chief of Suco)

- Community does not dispute the road widening program. Just be aware about our public springs near the road.
- How about unproductive plants such as Ai Hali, Ai Café and Ai Nitas that have been planted by community, would these trees be compensated as well?

Response:

- ★ Thank you for your input.
- ★ 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.

5. Mr. Claudino da Silva

- 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.
- 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.

Response:

- ★ 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.
- ★ Thank you for the input. Project consultation meetings between community, local leaders and consultant will continue until the final of process compensation payment.



Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

**Venue: Uato-Haco Suco Administrative Office, Venilale, Baucau District Date:
 September 10th, 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	Claudiano 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	:	10 September 2015	Presenter	:	1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Maria P. Ribeiro (National Social Safeguard Specialist) 3. Mr. Carlos De Deus (PMU)
Place	:	Suco Uma Ana Ulo administrative office	Number of participants	:	Total=20 (M= 12, F= 8)
Participants	:	1. Chief of Suco Uma Ana Ulo 2. Chief of Suco Uma Ana Ico 3. Chief aldeias of Suco Uma Ana Ulo and Uma Ana Ico 4. Community members			
Taking Points	:	<p>1. Mr. Martinho Ricardo Freitas</p> <p>➤ Waidaeoli 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 is between STA ___ and ___ and will be</p> <p>2. Mr. Domingos da Costa Freitas</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>3. Mr. João Bosco de Sousa</p> <p>➤ Affected houses from road widening will be compensated, but if the road is realigned 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>4. Mrs. Sildonia Belo</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>5. Mr. Tiago Pereira (Chief of Aldeia Betu-Nau)</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>
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Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

**Venue: Uma Ana Ulo Suco Administrative Office, Venilale, Baucau District Date:
 September 10th, 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

Sub-project: Road Network Upgrading Sector Project

**Venue: Uma Ana Ico Suco Administrative Office, Venilale, Baucau District Date:
 September 10th, 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	:	15 September 2015	Presenter	:	1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	Community member's house	Number of participants	:	Total=16 (M= 12, F= 4)
Participants	:	1. Chief of Suco Bahamori 2. Chief aldeias of Suco Bahamori 3. Community members			
Taking Points	:	<p>1. Mr. Sebastião Maria Magno</p> <ul style="list-style-type: none"> ➤ Will affected residential house get compensation? ➤ There are 3 points of landslide in this suco, two are far from project side but one is very close. <p>Response:</p> <ul style="list-style-type: none"> ★ 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. ★ About places where there are landslide, we will assess especially those that are close to the road. <p>2. Mr. Ernesto S. Magno</p> <ul style="list-style-type: none"> ➤ Taman makam pahlawan itu bagaimana? ➤ A martires da patria monument is near by the road, how it will be treated? Is this cemetery of monument? 			

	<p>Response:</p> <ul style="list-style-type: none"> ★ Thanks. 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 option to realign the road.
<p>Pictures :</p>	

Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

Venue: Bahamori Suco Administrative Office, Venilale, Baucau District Date: September 15th, 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	:	18 September 2015	Presenter	:	1. Mrs. Rosalyn Fernandes (International Environment Specialist) 2. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	Community member's house	Number of participants	:	Total=39 (M= 31, F= 8)
Participants	:	1. Chief of Suco Buibau 2. Chief aldeias of Suco Buibau 3. Community members			
Taking Points	:	<p>1. Mr. Sebastião Marçal da Costa</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>2. Mr. Julio da Costa Ornai</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. 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>3. Mr. Sebastião Marçal da Costa</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>4. Mr. Salustiano Ximenes</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>5. Mr. Salustiano Ximenes</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.</p>
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		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.
Pictures	:	

Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

Venue: Buibau Suco Administrative Office, Baucau, Baucau District Date: September 18th, 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’s Public Consultation Meeting Records (30 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	:	18 September 2015	Presenter	:	1. Mr. Carlos De Deus(PMU) 2. Ms. Maria P. Ribeiro (National Social Safeguards Specialist)
Place	:	Community member’s house	Number of participants	:	Total=18 (M= 13, F= 5)
Participants	:	1. Chief of Suco Badoho’s 2. Chief aldeias of Suco Badoho’s 3. Community members			
Taking Points	:	<p>1. Mr. Anselmo B. Amaral</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</p>			

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.

2. Mr. Crispin Lopes

- 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.

Response:

- ★ Thank you. We are happy that the community is excited about the upcoming development.

3. Mr. Claudino da Silva

- The community will not hinder the national road rehabilitation project. Community is grateful for the compensation and community want to value their contribution with a declaration letter from government.
- 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?
- 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?

Response:

- ★ Thank you for supporting the upcoming development. We will note your request related to the declaration letter from the government.
- ★ (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.

4. Mr. Manuel Soares (Chief of Suco)

- Suggestion: the survey team who collect affected data should explain the details to the affected person.

Response:

	★ Thanks for input, we will keep coordinating with local leader and community
Pictures :	

Attendance Sheet to

Sub-project: Road Network Upgrading Sector Project

Venue: Badoho'o Suco Administrative Office, Venilale, Baucau District Date:

September 30th, 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

